Corrected 11-17-83

J.A. p. 558 – 1119

Depositions & Testimony

Nos. 82-2159, 82-2160, 82-2221, 82-2226, 82-2227

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

JULIUS HOBSON, et al.,

Plaintiffs-Appellees, Cross-Appellants,

v.

JERRY V. WILSON, et al.,

Defendants-Appellants, Cross-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF COLUMBIA

- - - - - - - - - - - - - - - - -x

JULIUS HOBSON, et al.,

Plaintiffs,

v. : Civil Action No. 76-1326

JERRY WILSON, et al.,

Defendants.

- - - - - - - - - - - - - - - - -x

Wednesday, October 18, 1978
Washington, D. C.

Deposition of DAVID H. EATON, taken on behalf of plaintiffs, pursuant to notice, commencing at 4:09 p.m., in Room 3134 of the Department of Justice, 10th and Pennsylvania Avenue, N. W., Washington, D. C., before Terry Barham, a notary public in and for the District of Columbia, when were present the following parties:

For the Plaintiffs:

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be around '69 or '70. And I remember the cause because I was beaten by a member of the Police Department. I was at OIC at the time, so that gives you some idea of ---

MR. REIN: What's OIC?

THE WITNESS: Opportunities Industrialization Center. So it was in '68, around that time.

And, as you recall, a part of the Metropolitan Police Department closing down that site had to do with people being maced and tear-gassed all the way up the 14th Street corridor.

A particular photographer by the name of Courtney was being beaten by a policeman, and I saw it from my window and went out into the street to assist the policeman from getting Courtney [sic], at which time the police began to beat me and Courtney got a picture of it. Well, being the chairman of the Human Relations Commission I tried to handle it internally rather than externally, in hoping to change the police procedures on the police review board, which is something that community persons had been working on.

In discussing this with Hobson, we began both to recall other acts of--either psychologically or subliminal acts of observation of acts by policemen and/or representatives of various agencies. It is at that point that I began to notice more that was happening around me in terms of persons involved in surveillance--my telephone calls, for an

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example, and things of that nature.

So, in response to your question, I got interested in what was happening to me because of that situation, and discussing it with Hobson he and I began to share observations and then we both I think became a little more on the alert as to what was occurring as, as I may say, we lived and moved and had our being at that time. So that is how I got involved.

BY MR. WHITE:

Q Well, can you identify at least an approximate date as to when perhaps the first discussion along these lines occurred with Mr. Hobson?

Would it have been 1975 or before?

A It would be before 1975. They were pretty running discussions. In other words, I could see those discussions being initiated as far back as '67 and '68 and moving up to and beyond '75.

Q Well, when during the course of those several years and this series of discussions did you conceive of the idea of actually filing the suit, to putting your concerns on paper, so to speak, and levying charges against ---

A At some point around 1975 or '76, I am not sure. When did Julius die? He died in '77, wasn't it.

MR. REIN: He died after the complaint was filed.

THE WITNESS: I know, but I am trying to say ---

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BY MR. WHITE:

Q July of '76 is the date of the complaint.

A I think it must have been--I was at All Souls Church at the time--around 1974 or '75, Julius called me on the telephone, told me what he was planning on doing, and did I want to be a part of the complainants. I said yes, and we met that evening and we shared some more observations, and he listed me. That's the way it happened.

Q When, then, did you first communicate with an attorney concerning this matter?

A The first attorney I communicated with was Ann Pillsbury, and she called the office on behalf of the plaintiffs and asked for an appointment, and I gave it to her and we sat down and chatted. And I think David Rein would have the date of that.

Q The complaint sets out a number of categories of activities which are alleged to have occurred. I would like to run through those briefly right now. We will do it in more detail in a few moments.

What I have is basically a paraphrase of what's in here, but in the original complaint it starts generally with ---

MR. REIN: 25.

MR. WHITE: 25, 26, 27, and so forth. But I believe I have these categories accurately--I can be corrected

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effort of the Black United Front. The gentleman's name I cannot recall, but if I had to get it I could probably get it even by telephone now or later. He was actively involved with the setting up of the Black United Front; he became conspicuously absent after about the first three months, and none of us have ever heard of him since.

In retrospect, after some other things occurred, before I read the FBI file, I wondered whether or not this person could have been a plant.

The rest of it came after I read the FBI file.

Q Is it your allegation that you were the subject of electronic surveillance?

A Yes.

Q Do you believe you were the subject of ---

A By "electronic surveillance," do you mean telephone tapping?

Q Yes, exactly.

A Yes, I do.

Q Regarding that belief, when did you first begin to believe that?

A I first began to believe that after the Black United Front was established, and I think that was around--was it '68? No, I was at OIC, so that was around 1966--'66 or '67.

Q And what particular event led you to that belief?

A First I began to hear one or two--two or three

clicks on the phone periodically when I was talking on the phone. I noticed that these clicks were associated with conversations with Stokely Carmichael and/or some of his colleagues. I talked to a friend of mine who was in electronics and an electrician himself, and he asked me did I notice at any time a fading-in voice quality--allegedly electricity follows the same principle of water, and if you tap outside of the phone company you get a drain-off, unless there is a booster--and some other technical stuff. The force ---

Q I understand your response, I think.

A I told him yes, that I did notice a slight change in volume, and he asked me whether it was before or after the clicks, and I told him it was after the clicks--and he said your phone may be tapped. And that's the reason I--I mean, that's the only way I have been able to determine whether the phone is tapped or not.

So I behaved as if the phone was tapped from that time on. That was around 1967.

Q Did you have a test performed on the phone itself?

A No.

Q Did you report this matter to an attorney or did you discuss it with an attorney at that time?

A No.

Q What kinds of measures did you take--you say you conducted yourself as if the phone was tapped. How did that

conduct manifest itself, what did you do?

A Well, if I had any business to discuss that related to the Black United Front and possible demonstrations or things of that nature, I would just tell the person when and where I would meet them, or I will see you after you get out of the office, or stop by my office on the way home, rather than discuss those matters on the telephone.

Q And how long do you believe your phone was tapped?

A I would say from about '66 or '67 up to about '73 or '74.

Q Did something occur to cause you to believe that it was no longer tapped, or was this belief based on some event not related to the telephone itself?

A Well, you had a marked change in the country around '74 and '75, notwithstanding--when was Watergate, when did they go to trial? '74 or '75. I think you had a marked change around that time. I could have said '75 and '76--I did have a run-in with Attorney General Mitchell, so they could have put the tap back on.

I would say up to about '74 or '75.

Q Mr. Eaton, other than the clicks on the phone and the fading of the volume, have you subsequently obtained any additional information to support your belief?

A Yes, well, I know I was being personally followed every time Mr. Stokely Carmichael was in town from about 1967

up to, oh, 1973 or '74, when I was living out on Eastern Avenue, Northeast, at 4418 Eastern Avenue. I noticed that evening that a person had followed me home in the car, and when I parked it went down the street and turned around and went all the way back and parked about half a block behind me. The next morning when I came out, there was another car there with a person dozing in it, and I walked out in the street and whistled very loud, and the person jumped and I waved to him to let him know I was leaving and got in my car and drove away, and, sure enough, he started up and followed me.

Another occasion, Carmichael and I were in a meeting out in Anacostia, and Stokely didn't believe that we were being followed, and it was raining extremely hard. I made a few quick turns, because it is a section of town that I knew fairly well out there--not because I lived there, I dated a girl when I was in high school out there. So I went up an alley, turned the corner, made my way down the alley to the next street--the car followed me and happened to have an accident, because he ran into a taxicab.

So I do know that on those occasions what would be probable belief that I was being followed, and I have no reason to believe that a private citizen just decided to follow me. So I assumed that it was related to surveillance.

Q The question had to do with electronic

surveillance.

A Oh, I'm sorry. I have no other--I thought you meant surveillance in general.

Q Well, your answer was useful, it just wasn't responsive to the question.

A No, I have no other knowledge of that kind.

MR. REIN: Do you mind if I ask him a question at this stage?

MR. WHITE: Go ahead.

MR. REIN: In connection with this, I just want to remind you--we discussed it yesterday--you said one other reason (I am leading him), one other reason that you thought there might be telephone surveillance is that ever time you had an appointment over the phone with Stokely Carmichael that somehow or other someone showed up to follow you on that occasion.

THE WITNESS: Yes, well, that's why I guess I was explaining those occasions.

MR. REIN: But that it followed a telephone conversation.

THE WITNESS: Yes, it usually followed a call, because he was out of town and would call and, you know, let me know he was in town, or something of that nature. I am sorry--there is a relationship there. And that is why I picked up the fact that I was being followed.

BY MR. WHITE:

Q Well, what period of time are we discussing, then?

A We are discussing approximately from 1968 or '69 until about 1974 or '75. Now, you have to remember that Stokely stayed in Washington pretty much during '66 and '67 and '68. He did not leave and go to Africa until around '68 or '69, and used to come back to the United States periodically. We became close because I was his counsellor at Howard University, at Slowe Hall; he was a resident of Slowe Hall when I was men's counsellor there. So our relationship was one of counsellor and counsellee in many areas. I also happen to have met his wife, and was close to her, and we also were close to Mrs. W. E. D. DuBois, and many of our contacts were more social, but the folks following us weren't necessarily aware of that.

Q Well, regarding this matter of an extra visitor showing up when Stokely came to visit you, why did that lead you to believe that your phone was tapped rather than his?

A I heard the clicks, and he would ofttimes call from bus stations and train stations and airports and things of that nature--unless they had all the phones at Dulles Airport tapped.

Q This series of events occurred pretty much during this entire period, from '68 to '74?

A Right.

Q And Mr. Carmichael would return to Washington from time to time during that entire period?

A Right.

Q What information do you have which leads you to believe that if your phone was tapped it was tapped by the FBI?

A I don't have any information whatsoever. It was either tapped by the FBI or the Metropolitan Police Department or other agencies that have access on a tapped phone.

Q Relating to these occasions on which you noticed that you were being physically surveilled, did you notice whether it tended to be the same person or the same group of persons on each occasion?

A The only thing that I noticed was that, with one exception, all of them were Euro-Americans, they were not Afro-Americans--all of them were--I am not saying all you white folks look alike, but I am saying that, except for one occasion, all of them were Euro-Americans.

Q What information do you have which leads you to believe that those who were following you were FBI agents?

A I have none; I said they were either FBI or--I can't see the Metropolitan Police Department being that interested in me at that time. I think they became, if they ever became, they became more interested around the anti-war situation. I do feel the FBI was more interested in Black

United Front than the Metropolitan Police Department. And how much of that is hindsight, I don't know. I think it was probably a part of my understanding then, because Imamu Baraka, who was then known as Leroi Jones, and Oussu Sidaki, who was Howard Fuller--I was close friends with both of them --they, along with myself and Heywood Henry and some others, were organizers of the first Congress of African Peoples meeting that occurred in Atlanta. And through communicating with them I knew that they felt that the FBI had them under surveillance. So I think if they were under surveillance and we are starting a Black United Front, and most of us are associated with the Pan-African movement, then I assumed that it was the FBI as opposed to some other agency. I think that is a fairly rational deduction, since the Metropolitan Police Department would not be interested by its purview in a Pan-African movement that is national--the only national organization I would know would be the FBI.

Q Is it your allegation that your residence or office was broken into and private political documents taken?

A No.

Q Is it your allegation that your mail was intercepted, either incoming mail or outgoing mail?

A That I wouldn't know. I don't have very interesting mail anyway--but, no, that is not my allegation.

Q I am sorry, I don't think I quite followed your

Barham

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., Plaintiffs, v. JERRY WILSON, et al., Defendants.	Civil Action No. 76-1326

Wednesday, October 18, 1978
Washington, D. C.

Deposition of RICHARD P. POLLOCK, taken on behalf of plaintiffs, pursuant to notice, commencing at 9:40 a.m., in Room 3134 of the Department of Justice, 10th and Pennsylvania Avenue, N. W., Washington, D. C., before Terry Barham, a notary public in and for the District of Columbia, when were present the following parties:

For the Plaintiffs:

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Rein, Drew, Garfinkle & Dranitzke
1712 N Street, N. W.
Washington, D. C. 20036

DANIEL M. SCHEMBER, Esq.
Gaffney, Anspach, Schember, Klimaski & Marks, PC
1712 N Street, N. W.
Washington, D. C. 20036

Q But it was your suspicion at that time that the break-in had been for some political purpose rather than for purposes of monetary gain by the ones breaking in?

A That was my conclusion.

Q Did you have a suspicion at that time that it had been done by the FBI or by someone associated with the FBI?

A Yes, that was my conclusion.

Q Did you discuss the matter with an attorney?

A I did not; it was not my apartment.

Q You testified that you had items there, but had not moved yet. Was any personal property of yours disturbed in any fashion, moved or taken, damaged?

A There was nothing of mine that appeared to have been taken.

Q I don't recall anything regarding this break-in being mentioned in your ---

A It is not alleged in the complaint.

Q Well, you allege break-ins in the complaint, do you not?

A Yes, but that specific incident is not cited in the complaint.

Q And I can't see that it is cited anywhere in your answers to interrogatories, am I incorrect about that, or is there somewhere where you make reference to this?

A No, there is no reference to it in the interrogatory

A At the present time--well, let me read.

MR. REIN: Let him read it, before you answer.

MR. WHITE: Please do.

THE WITNESS: I would say that there were a number of--a few things that I might just very briefly add. I would just like to ask my attorney one question.

(Witness consults with attorney)

While I was in Miami Beach, Florida, in 1972, there were instances in which we believed we were under electronic wiretap surveillance, and that our telephones were being bugged. The evidence of that was that we had a good deal of noise on our phones, clicking sounds, which led us to believe that those phones were tapped. In Washington, D. C., in my residence there was also this similar type of noise on the line, and on at least one instance I picked up the phone, which was not a party line, and heard muffled noises, as if the phone had been left off the hook, and some music in the background.

BY MR. WHITE:

Q Do you recall the approximate date--the year would be sufficient--regarding that?

A I believe it was in 1972.

Q The Miami Beach episode, this was in connection with the Republican National Convention?

A That's right. Also, in that connection, I had a

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location?

A No, there was not.

Q Did you obtain the name of the telephone technician you spoke to?

A I did not. The file is still active, since the phone is still in my name; it's possible we might be able to find out who the repairman might have been during that period in question.

Q When you made your initial inquiry to the telephone company asking someone to check the line, did you express to them the fear or suspicion that it was bugged, or did you ask simply for someone to check the line?

A I did not call the telephone company; Mr. Davis did.

Q Are you aware of how he expressed his concern?

A I believe he indicated that there was trouble on the line; he wanted it to be examined.

Q Did the technician tell you what agencies or agency or agencies were involved in tapping into your telephone line?

A He mentioned the FBI as one agency, but he said there were many agencies, and he said to me--this may sound strange coming from a telephone company official, but, brother, if I were you I wouldn't use my phone.

Q Your answer to interrogatory describes it that he said that he had set up the lines from the plaintiff's phone into a room in a hotel near or on Columbia Road. Did he say

alleged break-in does not constitute part of the cause of action in this case?

A I just indicated that I did not know who the individuals were, whether they were private individuals, members of the federal government or the local government, and I could not indicate at all that it was an employee of the Federal Bureau of Investigation or acting upon instructions of that. If, in the course of this case, it arises in fact that that particular incident was brought up, I wanted it just simply to be on the record. At this point, that is the facts as I understand it.

Q Were there any other break-ins?

A Personally involving myself, no.

Q What information do you have to indicate to you that your mail was intercepted, and we can discuss either incoming or outgoing mail?

A The only evidence I had was the fact that our mail service, despite the reputation of the United States Postal Service--this service had to be seen to be believed. Basically there would be mail that would come to us from within the city that would come a week or weeks later--in terms of incoming mail.

Q Who was "us"?

A Mr. Davis and myself. It was primarily while living at the residence at 1736 Lanier Place that we found that--it

would be an understatement to say that our mail service was miserable.

Q Did you complain about it to the Postal Service or to anyone else?

A No.

Q This occurred in 1972, '73?

A Mid-'71 through '73, '74.

Q During that entire period you had poor mail service?

A Well, it did improve at a later date, but in general it had been--I mean, mail had been partially mutilated, it had come repeatedly late, and in general we had a suspicion that our mail was being tampered with.

I might add that I conferred with my neighbors to find out if they had such miserable mail service, and they had indicated that, while they had complaints, the answer was no.

Q Did you suspect at that time therefore that this was due to the intervention of some agency other than the Postal Service?

A Yes, that was the conclusion that I drew.

Q And that conclusion was drawn at the time?

A That is correct.

Q Did you consult a lawyer concerning it?

A At that time I did not consult an attorney concerning the matter.

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UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., Plaintiffs, vs. JERRY V. WILSON, et al., Defendants.	Civil Action No. 76-1326

Washington, D. C.
Monday, November 6, 1978

Deposition of REGINALD H. BOOKER, taken on behalf of the Defendants, Federal Bureau of Investigation, in the above-entitled action, at the United States Department of Justice, Main Building, 10th Street and Pennsylvania Avenue, Northwest, Washington, D. C., Room 3134, pursuant to notice, beginning at 2:20 p.m., before Janet L. Moore, notary public in and for the District of Columbia, when were present on behalf of the respective parties:

For the Plaintiffs:

DAVID REIN, Esq.
Rein, Drew, Garfinkle & Danitzke
1712 N Street, Northwest
Washington, D. C.

DANIEL M. SCHEMBER, Esq.
Gaffney, Anspach, Schember, Klimaski & Marks
1712 N Street, Northwest
Washington, D. C.

A No, I cannot, except that I have read the document before. I think my name is listed as a plaintiff or the organization is.

Q Your name is listed as a plaintiff. I'm not sure what organization you are referring to.

A I'm referring to the organization you just referred to, the Emergency Committee on the Transportation Crisis.

Q Do you recall when you first considered the idea of bringing suit against the FBI agents or against the Metropolitan Police Officers?

A Well, I have always considered bringing a suit against the FBI and the Metropolitan Police Department, because of its illegal activities over the years, which has been documented publically.

The question of how long -- it has been for a number of years.

Q Well, would you say that you considered it since as early as 1968?

A Yes, because in 1968, I had discovered that the FBI was engaged in illegal activities in violation of my rights under the Constitution.

Q Would you have considered filing suit before 1968?

A Certainly.

Q 1967?

A '67, '66, '65 and going on back.

Q Well, since this suit alleges activities beginning in 1967, and you suggest that you had at least considered bringing suit before that date, perhaps you can summarize for me what occurred before 1967 which led you to consider bringing suit.

A I think it is generally known among those people in this Country who have participated in the Civil Rights Movement, that the Government, by way of the FBI and the Justice Department, was engaged in acts which are in conflict with the Constitution, as relates to our rights under the Constitution.

Q With regard to your specific rights, what occurred, just limiting it now to prior to 1967?

A The FBI has been engaged in acts of surveillance -- I don't think the Constitution, at least the Constitution that I am familiar with, doesn't empower the FBI to keep citizens under surveillance for lawful activities.

Q What kind of surveillance, Mr. Booker?

A Well, they have various types of surveillance. I'm quite sure you are familiar with them.

They have electronic eavesdropping over the telephone, they have physical surveillance.

Q Is it your allegation, then, that before 1967 you were the subject of electronic surveillance?

A My allegation is that I was the subject of perhaps

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various kinds of surveillance that the FBI did employ, and employs at the present, which includes those acts of surveillance which I named.

Q So your answer is yes, as to electronic surveillance and physical surveillance, before 1967?

A Yes. That's correct.

Q Regarding this particular suit, then, which was filed in July of 1967 --

MR. REIN: July when?

MR. WHITE: Excuse me, 1976.

BY MR. WHITE:

Q Do you recall when you first communicated with anyone or started the discussions which led to this suit? All I am looking for is a general date.

A I can't give you a specific date, except to say that some of us have communicated prior to this suit, over the years, ab out the possibility of taking legal action against the Government for those acts which you have just named and which I have just named.

But I cannot give you any specific date as to when we actually sat down and agreed upon entering into a lawsuit.

Q Okay.

By "some of us," then, are you referring to some of the other plaintiffs?

A Well, I think that any kind of organization

Robert E. Yates, Robert Feuer or David Rarrity?

A No, I cannot.

Q And again, you do not know whether it was another plaintiff or perhaps an attorney for the plaintiffs?

A No.

I cannot remember specifically whether it was a plaintiff or one of the attorneys and/or both.

Q Going back to your allegations and the set of categories we went through a few moments ago, what information do you have which indicates to you that undercover agents fraudulently gained entry to your private meetings to learn of plans and programs?

A The information I have, one, is that it has generally been acknowledged that agents of the FBI and the Washington Field Office and other field offices across the country have infiltrated organizations that I have been in specifically, for whatever their purposes were.

Q And what organizations would those be, Mr. Booker?

A The organizations that are named in the lawsuit -- the Emergency Committee on the Transportation Crisis,

Q Any other organizations, whether not named in the lawsuit?

A I think I saw the Black United Front, and in fact, a former agent of the FBI, Agent Wall, publically stated that the FBI had infiltrated large numbers of black organizations

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specifically in the black community, and Agent Wall was an agent in the Washington Field Office, and he stated that publically.

Q Have you ever met Agent Wall?

A No, I have not.

Q So do you have any information concerning him, other than what you know from public statements or what is in public newspapers?

A Only that which I read in the public news media.

Q Among those things that you read in the media, did any of them pertain to you specifically or to an organization to which you are a member of or associated with?

A Yes, it did.

Q And which were they?

A I was associated with and I was a member of the Black United Front of Washington, D. C., and Agent Wall stated specifically that he was assigned to the so-called "Washington Desk" or the desk that dealt with black organizations, and that the Black United Front wasaa prime target of the FBI for the commission of acts in violation of the Constitution of the United States.

Q And do you recall what year these public statements were made?

A I cannot recall specifically what year former Agent Wall made those alle -- those statements.

shortly thereafter they occurred.

Is that incorrect?

A No. That's not correct.

You said during the period of time for which you asked me, when I was associated with or the Chairman of the Emergency Committee. I did not state a specific time, but during that period.

Q Well, your testimony is, then, that you did not become aware or suspect break-ins on the Emergency Committee until after those documents were obtained from the Government?

A No.

I had reason to believe that prior to obtaining the Freedom of Information Act requested documents from the Government, that the FBI had been engaged in those practices prior to the lawsuit.

Q Well, was it your belief that the Emergency Committee was the subject of such activity prior to the time -- that is, your belief existed, prior to the time that you saw the response?

A Yes. That's correct.

Q And when did that belief begin?

A Ever since I became associated with the Emergency Committee on the Transportation Crisis.

Q You also mentioned the Black United Front.

Now what information do you have -- strike that. I'm going to stay with the Emergency Committee for a few moments.

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was assigned to that desk, as he put it in the paper, or that unit or squad of FBI agents, whose function, whose primary function was to keep organizations like the Black United Front under surveillance, and to infiltrate them, including the Black United Front.

Q So at least from the time that public statements were made or articles were published concerning Special Agent Wall, you have belief that the Black United Front was the victim of break-ins or surreptitious entries by the FBI?

A I just stated that since the inception or the initial formation of the Black United Front, that that was a common belief among members of the organizations, including myself.

Q Well, I'm just trying to narrow down the sources of the belief.

Prior to the time that public statements were made or articles were published by Special Agent Wall, you and others in the Black United Front believed that entries had been made.

Is that correct?

A That's correct.

You know, it is rather alarming -- when I read Mr. Wall's statement, I smiled when I read it, because I said to myself, Mr. Wall is only saying what we have already said all along. And certainly, he is in a position to know more than we were, because he was actually employed by the FBI in the Washington Field Office, involved with those activities.

my rights under the Constitution. It goes that far back.

Q Was it earlier than 1967?

A It could have been.

Q Could it have been earlier than 1966?

A It could vave been.

Q What specific activities were performed by the Metropolitan Police Department against you in violation of your Constitutional rights?

A Infiltration of meetings.

Q Could you give specific instances?

A All the public meetings that I have been involved in.

Q All the public meetings that you have attended have been infiltrated by the Metropolitan Police?

A That's common knowledge.

Q Well, how did you become aware of it?

A Believe it or not, an FBI informant, I mean not an FBI, a Police Department informant admitted to us that that was his job. He is a policeman. He wasn't simply an informant.

Q What is that individual's name?

A Beg your pardon?

Q What was that individual's name?

A I don't remember his name.

Q When was that information relayed to you?

A It wasn't relayed. The person came to us directly

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citizens or curiosity seekers?

A They weren't members of our organization.

Q Well, how did you determine that they were members of the Metropolitan Police Department?

A Logical deduction told us that they were members of the Police Department.

In fact, if you want to be more specific, we held a press conference with the late Julius Hobson at Ed Murphy's Restaurant. You know where Ed Murphy's Restaurant is, don't you?

Q No.

A Are you from D. C.?

Ed Murphy's is on Georgia Avenue.

And at this press conference, Mr. Hobson pointed out a police agent in civilian clothes who was posing as a member of the press, and he asked the man, and he said, "Are you are reporter or are you a policeman,"and the man said, "I'm a policeman."

Q Okay.

That is one instance. When did that occur?

A '70, '69, '68?

Q What about any other incidents that you personally observed?

A I held a press conference in the District Building on a subject that I cannot recall, but I did, in fact, identify

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publically, during the press conference on the sixth floor of the District Building, I did identify an individual who was allegedly posing as a newspaper person as a member of the Police Department.

Q How did you identify the person?

A I asked the person publically. I said, "Are you a newspaper reporter or are you a policeman?" And the person refused to answer the question and ran.

Q And from his actions, you determined that he was a policeman?

A No.

Q And when did this happen?

A I can't remember the specifics, but it was '70, '71, '72 --

Q All right.

That's all I have.

MR. WHITE: I have no further questions,

MR. SCHEMBER: No questions.

(Whereupon, at 5:10 p.m., the taking of the deposition was concluded.)

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UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., Plaintiffs, vs. JERRY B. WILSON, et al., Defendants.	Civil Action No. 76-1326

Washington, D. C.
Tuesday, November 7th, 1978

Deposition of TINA HOBSON, taken on behalf of the Defendants, Federal Bureau of Investigation, in the above-entitled action, at Room 3134, The United States Department of Justice, Main Building, 10th Street and Pennsylvania Avenue, Northwest, Washington, D. C., pursuant to notice, beginning at 9:40 a.m., before Janet L. Moore, notary public in and for the District of Columbia, when were present on behalf of the respective parties:

For the Plaintiffs:

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DANIEL M. SCHEMBER, Esq.
MICHAEL GAFFNEY, Esq.
Gaffney, Anspach, Schember, Dlimaski & Marks
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stated in the complaint, in the prayer for relief?

A Indeed, if the facts show so in court.

I mean I can't prejudge the judge, but in terms of my personal feelings, as I have told you, I think the amount is too small.

Q Do you recall when you first considered joining in this action as a plaintiff?

A We didn't consider joining in it, we helped to initiate it.

Q And when did that occur, please?

A I don't even remember, except it was a long time.

I mean, this case -- probably about three years before the case was brought, we were talking about it.

Q That would have been, perhaps, some time in 1973?

A Or earlier -- any time after '69.

Q Possibly as early as 1969, then, you and others were discussing the possibility of having a lawsuit?

A To the extent that you don't sit around and take the kind of behavior on the part of the government that was certainly obvious in those days, without trying to figure out a -- after all, we didn't own any guns and we didn't have any money, so you have to use the law, and we talked about ways of utilizing the law to stop this kind of surveillance.

Q And these would have been discussions with your husband?

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A With everybody -- with everybody, with the public. I mean he brought it up in speeches.

Q Was there a particular event which finally motivated the filing of the suit?

A No.

It was just one of the priorities on our list and we just got down to that priority.

Q Mrs. Hobson, did you participate in the selection of the individual FBI defendants?

A I think one, one that is -- no, not the FBI defendants. I didn't personally participate in it to my knowledge.

That was on advice of my husband and counsel.

Q Do you know how did select the FBI defendants?

A No, I don't.

Q Could you describe for me, then, if you don't know who selected them, what the process was by which they were selected?

A I don't know the process.

I do know that on advice of my husband and on advice of the counsel we were working with, these people were selected.

Q And who would the counsel have been at that time?

A I don't recall.

MR. REIN: Do you want me to refresh her recollectio

to clarify what the allegation is.

Is it your belief that you were followed in your movements around town or watched in places other than private or public meetings.

A Well, I think I have answered your question.

I mean, by virtue of the reports in the FBI files, it certainly appears clear that we could have been followed, and for somebody to do that and then he reports in sequence kind of thing.

Q Other than the documents that have been provided to you, do you have any additional information about that?

A Well, it seems to me that there were some people who told -- we just assumed we were followed, frankly, and the only thing we ever did -- we didn't care if anybody followed us. There was a lot of unemployment at the time and it just gave people jobs -- because we just went to various meetings or work or went to the grocery store; but people did tell us that they thought we were being followed.

Q And who are these people?

A Well, I mean Julius just accepted it and we talked about it, but I don't recall -- I mean we didn't -- we so accepted the fact that we were probably being followed that we never, we got to the point that we didn't pay any attention to it. If people wanted to follow us, fine, or tap the phones, fine. I mean it did a lot of personal damage, but if you accept

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that is -- you are going to pay the price if your mission or your values puts you in that direction and you just have to accept it.

Now in terms of evidence, I think we, other than people, and again, I can't tell you which person, I can try to think about that, but there were people who brought it to Julius' attention from time to time, and a lot of them we didn't or some of them we didn't pay any attention to and others we thought, well maybe there is something in that.

I really, you know I can't, in terms of describing somebody that followed Julius, I can't.

Q Well, were there any particular events which caused you to believe -- other than being told this was happening, that caused you to believe that you or your husband were being followed?

A Well, it was basically the period that he was at WIQE through the time he ran for the election, and I can't think of an event right now.

Again, I would have to look through the FBI file, which really triggers -- in fact, the FBI file gave me some old addresses I couldn't remember any more.

MR. WHITE: Let the record show that the witness is confering with counsel.

THE WITNESS: It was just common knowledge in those days, which I think has been brought out as a matter of fact,

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that the FBI was trailing whatever they called Julius, radical, militant, et cetera, and that therefore, we just expected to be followed and we just expected the fact that we were periodically followed.

BY MR. WHITE:

Q And Mrs. Hobson, again, please, where was it established as a matter of fact that the FBI was following your husband?

A Not established as a matter of fact that the FBI was following my husband, but I could ask the FBI for a list of the "black militants" they were following, which led us to believe that theyw ere following my husband.

Q I see.

A And again, not putting a tail on him for three months at a time, but at specific times when they felt that there was cause for racial violence or whatever.

MR. REIN: I'm curious to know if it is the position of the defendants and their counsel that the FBI did not, in fact, put tails on and surveil people such as Julius Hobson?

MR. WHITE: Well, I suggest you read the answer to the complaint, Mr. Rein.

MR. REIN: I have read the answer to the complaint and it acknowledges that they did.

MR. WHITE: Well, I don't believe that it does.

BY MR. WHITE

Q In the answers to interrogatories, if I might look at them, and I'm not sure where they are, you state that you spoke at many major anti-war demonstrations in Washington, D. C.

A Nearly all of them, as far as I can remember, or all of them.

Q Well, we are talking, Mrs. Hobson, about public speeches?

A Public speeches.

Q On several occasions?

A Numerous occasions.

Q Beginning in 1967 and going through 1974?

A Uh-huh.

Q And again, you describe yourself as being an advocate of women's rights, including, but not limited to abortion rights?

A The Equal Rights Amendment.

Q And so with connection with that, you would make public appearances and public speeches?

A Rallies, et cetera.

Q Your answer is yes?

A Yes.

Q You have to have a word for it to go on the record.

A Yes.

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Q And this would have been, again, on several occasions, between '67 and '74?

A Right.

MR. WHITE: I have no further questions.

BY MR. EARL:

Q Mrs. Hobson, my name is William Earl, and I am Assistant Corporation Counsel. I represent the D. C. defendants.

You indicated earlier that you knew you were being followed by the Metropolitan Police Department. When did you become aware of that?

A When I read it in the newspaper.

Q Do you recall when that was?

A No, I don't , but I think Binsted, who had been hired and who had been hired to tail my husband or to write meports on him or whatever, said that his wife had surveiled me on one or more occasions, and specified one specific group where she attended the meetings because I attended the meetings, just to observe what I was doing.

Q So you became aware of it when Mr. Binsted indicated that in --

A No.

I was aware of it -- again, I want to point out that it was an accepted fact --

Q Yes.

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A -- in the District, particularly those of us who worked for the Federal Government and were outspoken against the war in Vietnam were subject to a lot of harassment, so that we assumed we were tailed. We just didn't pay any attention to it. I wasn't surprised to read about it in the newspaper.

Q So you suspected it before --

A Sure.

Q -- it was said by the Binsteds?

A Sure, sure.

Q Can you give me some idea when you first suspected it? When did you become more than just suspecting of --

A The minute I took a position in opposition to the war, while working for the Civil Service Commission, which hated employees who took outright positions against the war. The minute that I held the rally in the park for the Equal Rights Amendment, which was terribly threatening in those days -- I mean no one wanted to come to the rally for fear pictures would be taken of them, et cetera. I mean now it sounds silly, but then it was significant -- I knew that then, people -- you know, that was just in opposition to the current establishment thinking, and that you are obviously going to be watched.

Q Was that in the late '60's?

A Oh, '67, '68, '69 -- yeah, late '60's.

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UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., Plaintiffs,	:	
vs.	:	Civil Action No. 76-1326
JERRY V. WILSON, et al., Defendants.	:	

Washington, D. C.
Tuesday, November 7th, 1978

Deposition of ARTHUR WASKOW, taken on behalf of the Defendants, Federal Bureau of Investigation, in the above-entitled action, at Room 3134, United States Department of Justice, Main Biilding, 10th Street and Pennsylvania Avenue, Northwest, Washington, D. C., pursuant to notice, beginning at 11:40 a.m., before Janet L. Moore, notary public in and for the District of Columbia, when were present on behalf of the respective parties:

For the Plaintiffs:

DAVID REIN, Esq.
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MICHAEL GAFFNEY, Esq.
DANIEL SCHEMBER, Esq.
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Could you describe briefly what that was about?

A Uh, it was a suit concerning evidence that the Department of Defense -- that's why the suit lay against Melvin Laird -- had acted to prevent a bus company from transporting people who wanted to demonstrate in Wilmington, Delaware, from Washington to Wilmington.

MR. REIN: Let's go off the record a moment.

(Discussion off the record.)

BY MR. WHITE:

Q The second suit was filed in 1974, as I stated earlier, and that is the Institute for Policy Studies, and others, against John Mitchell, and others.

A Right.

Q And do you have any knowledge or recollection as to the general nature of that lawsuit?

A Oh, yes.

That was about, chiefly about wiretapping, bugging and interference, harassment and other activities directed by the Department of Justice and other agencies of the United States Government against the Institute, against me, individually, against Dick Barnett, against Mark Raskin and Ralph Stevens, individually, and against other people as well.

Q And in that suit, you did not join as a plaintiff when the suit was originally filed -- that is correct, is it not?

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A When it was originally filed, I did -- no, I did not. I attempted to later, and as I have already explained, refused to accept the condition of waiving a jury trial.

Q Okay.

So, then, finally, to tie this matter down, the documents you referred to on page 4 of your answers to interrogatories refers to documents which were produced in connection with the suit filed by the Institute for Policy Studies in 1974, which you sought to join as a plaintiff, later.

A Well, I am not sure that that is correct. That is, there was material turned up in the People Against Racism suit, which may have also gone on with the Institute for Policy Studies.

Q Your recollection is that there may have been documents -- I'm not certain how categorical your answer was.

If there were documents, when would they have been produced?

A Well, there were certain documents produced in response to the People Against Racism suit.

Q Do you recall the year or some approximate date?

A At this moment, I don't recall.

Q Okay.

I would like to ask what this reference is, on page 12, of the documents released, the plaintiff is described as an activist, and sympathetic with the SDS, the Students for

other cases we have mentioned, are you referring now to -- sorry. I am going to have to start over. Are you referring to any documents other than the documents that have been produced in this case or in the other cases?

A Documents?

Q Well, you said that you have tons of information based on documents you have seen.

A Well, information, yes.

Documents -- for example, Robert Wall, a former agent of the Federal Bureau of Investigation, who decided to describe publically, the illegal acts he had been ordered to perform, gave information about his own actions in regard to the Institute for Policy Studies. He told them to me directly, as well as to the public generally.

Q And do you recall when he told you that -- what year?

A No, I don't.

Q Would it have been before 1974?

A I don't recall what year it was.

It was the same year, I'm sure you can check -- it was the same year in which he publically made those statements, in which those statements were carried by the press.

Q Okay.

To your recollection, could it have been as early as 1971 or 1972?

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A I just said I don't recall.

Q Thank you very much.

And in addition to Mr. Wall, former Special Agent Wall, is there any other information pertaining to this matter specifically -- that is, FBI agents who were ordered to investigate anti-war activists?

A Yes.

There is information referred to in the complaint, information referred to by Robert Merritt who was hired by the Metropolitan Police Department and by the FBI to do those things.

Q And why don't we complete this, if there is any more.

Are there additionals to that?

A Well, there are a number of Congressional hearings on activities of the FBI and other federal agencies during that period.

I don't even know if these include -- there have been public statements by officers of the Metropolitan Police Department about taking the property from the Institute for policy studies, which included my letters. I was shown photographs of myself and other leaders of the anti-war movement which were being circulated by and to police officers of the Metropolitan Police Department.

There were numerous occasions in which officers of

the police department or Federal agents indicated to me in the midst of demonstrations, that they were keeping special surveillances on me and had been before and were, as well as during the demonstration. There were a number of both direct and documentary and official testimony sources of my information.

Q This matter of agents indicating to you personally during demonstrations, that special surveillances were maintained, did this occur more than once?

A Yes.

Q And can you recall a specific demonstration or an approximation as to the time that occurred?

A Well, it occurred a number of times. I can't -- at this moment, can't describe precisely which demonstration in the period between 1967 and '74.

Q Was there anything in the Congressional materials, then -- there are a number of things referred to by Mr. Hobson in his answers to interrogatories, and maybe you want to look at that, which were incorporated by reference in your answers to interrogatories -- to your recollection, was there anything in those materials which Mr. Hobson describes, which related to you personally?

A I was very much involved in the Steering Committee of the Mobilization Committee on the War in Vietnam. I was a delegate to the Democratic National Convention of 1968 in

Q What years would it include, then?

A The years in which I was working at the Institute on questions of police and prison reform, which includes 1971 and '72.

How long before that, I don't know.

Q Okay.

You referred to Mr. Merritt's own testimony. Could you tell me, please, the circumstances in which you so testified -- what body he testified before?

A Well, he has submitted affidavits. He has told me directly.

Q All right.

Now, I might state for the record, there is an affidavit on the file in the case involving the Institute for Policy Studies, which was filed in luly of 1974.

Is it possible that that is one of the affidavits you are referring to?

A I'm sure that is one of them.

Q Okay.

So that he told you directly that he had been working for the FBI or the Metropolitan Police Department?

A Not or, and. Yes, yes.

Q I'm sorry.

Do you recall when that was -- when he told you that?

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a window -- in other words, break-in, rather than an entry during the time that the place was open for business. Do you recall if there was a discussion about that having occurred or was there a belief that it had occurred?

A Yeah.

Q And this would be something other than anything Robert Merritt had to say?

A No.

That would be discussions that were around reports by Robert Merritt that that had happened.

Q Is it your allegation or do you believe that your home was broken into during the period '67 to '74?

A I have no information that would lead me to that conclusion.

Q Regarding the break-ins, then, surrounding Merritt's -- described by Merritt or alleged by him, do you recall ever missing papers that, perhaps, were on the desk or mail that you expected to see, which never showed up or what?

A Yes, yes.

In fact, when Merritt said that he had taken mail, he specified mail which I knew was missing and which I am almost certain I have never talked about with anybody else, and therefore, I was really convinced that what he was saying was the truth.

He described having taken orders for a book called

the Freedom Seder, a Passover Haggada, which I had written, and I recall those orders having disappeared, and being very puzzled, but there didn't seem to be anything that I could do about the orders having disappeared.

So I -- you know, it was irrelevant to talk to anybody else about it. So that was one, sort of allegation of Robert Merritt's that pretty well convinced me that what he was saying was true, because there was no other way he would have known about that.

Q But you don't recall any discussions around the Institute which pertained to a beat up Rambler being outside the offices and a belief that that Rambler was somehow connected to a break-in which occurred, allegedly, in May of 1973?

A I don't recall such discussion.

Q Okay.

Regarding interception of mail, I believe you allege that you believe your mail was intercepted or somehow tampered with by the FBI defendants.

Could you state for me, please, what information you have which would lead you to believe that your mail was intercepted?

A Well, the first information I just described -- there were statements by Robert Merritt which confirmed my memory about the disappearance of certain mail, but that was the

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., Plaintiffs,	:	
v.	:	Civil Action No. 76-1326
JERRY WILSON, et al., Defendants.	:	

Wednesday, December 13, 1978
Washington, D. C.

Deposition of SAMMIE ABDULLAH ABBOTT, taken on behalf of defendants, pursuant to notice, commencing at 10:11 a.m. in Room 3137, Department of Justice, 10th and Constitution Avenue, N. W., Washington, D. C., before Terry Barham, a notary public in and for the District of Columbia, when were present:

For the Plaintiffs:

DAVID REIN, Esq.
Rein, Drew, Garfinkle & Dranitzke
1712 N Street, N. W.
Washington, D. C. 20036

DANIEL M. SCHEMBER, Esq.
Gaffney, Anspach, Schember, Klimaski
& Marks, PC
1712 N Street, N. W.
Washington, D. C. 20036

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that groups you were associated with were described in the press as having had their First Amendment rights violated.

A Well, I am referring to such disclosures as the Report of the Rockefeller Commission, the other stories--very numerous--I don't have any librarian working with me, but it's common knowledge that for a whole period of time, intensive period, say, for about a year or year and a half there was a whole slew of articles. Let me also refer specifically to an article by an ex-FBI agent, name of Robert Wall, W-a-l-l--I think he is a native now or living up in Nova Scotia--an article dealing specifically with FBI-directed activities in the District of Columbia, that appeared in The New York Review of Books, and also in a two-part series in The Washington Post Sunday Potomac section.

Q Is it your recollection, sir, that those two articles, or three articles, appeared in January and February of 1972?

A In the statement which I prepared for my attorney --at that time Miss Ann Pillsbury--I did enclose a Xerox of the article. That seems roughly the period--I don't know.

Q Have you had occasion to review that article within recent months?

A I read it over many times.

Q And could you describe for me any particular part of that article which directly relates to you or to

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organizations with which you were associated, or ---

A Yes. I submitted as one of the several incidents pertaining to FBI illegal actions, an incident that occurred at a meeting I helped arranged between local leaders of D. C. black organizations and a couple of representatives of the National Mobilization to End the War in Vietnam, for the purpose of increasing local, particularly black, participation in the demonstrations against the war. And at that meeting, as I pointed out in that statement, there was a proposal for a one-dollar-a-head tax to be levied against all demonstrators in the District, and in the article by ex-agent Wall, he said that the authorship of that proposal came from the FBI and was introduced through their accomplices in the Black United Front for the purpose of dividing the peace movement.

Q Is this the incident, sir, that is described in your answers to the first set of interrogatories? This is page 5, paragraph 4--and these are dated.

A Would it be here in this one?

Q No, sir, I will show you the document. This was signed by you on the 7th of October, 1976. If you want to look at that paragraph, No. 4 on page 5.

A Yes.

Q And, sir, the black organization referred to here was the Black United Front?

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Information Act. He was at that particular meeting without being invited.

Q What documents now are you referring to which were disclosed under the Freedom of INformation Act?

A Well, every one of us got files; I got several boxes of them. I can't tell you, as badly Xeroxed as they were and the number of blank pages, where you deleted names, except in a few instances where you forgot to do it.

MR. WHITE: Mr. Rein, could I ask a question--is he referring to the documents which we produced in this action?

MR. REIN: I haven't the faintest idea; you'll have to ask the witness.

THE WITNESS: Yes, ask me; I was told by people--I haven't seen the WAPAC files, files given to Mr. Bloom who was a member of our committee--but I know in the discussions that took place amongst the people around the table at the meetings of the Committee, which had been frequent, that there was no doubt in the minds of the Committee that after they told him, and he disappeared--they confronted him with the fact that he was an implanted emissary; he took off--and then all of the things that they discerned later from going over the reports underlined his function there, which was to act as a spy.

Q Can you recall, sir, when this confrontation

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of the FBI who identified himself to me on the phone and asked me if I had anything to say? Would that come under it?

Q I wouldn't myself include that as electronic surveillance.

A In going over some of the papers they said they used a tactic to determine where my employment was, etcetera, by calling up under subterfuge, giving another name and things like that. That was done and admitted. Periodic calls--I forgot the term they used.

Q Would the term be "pretext call"?

A Yes. Many of those referenced.

Q Going back to this matter of your phone being out of order, did you state that you called the telephone company to ask them to repair the phone?

A Yes. And I told them I thought it was tapped, too, and asked them to make a check on it, and they said it was all right.

Q That was their response, that there was no tap?

A Yes.

Q And regarding the matter of your refusal to pay the bill, do you recall when that occurred, sir?

A No, but the phone company can tell you. I did keep notes, number of calls, etcetera, for a whole period.

Q Well, again, if we can try to narrow it down, would

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it have been around 1971 or ---

A It was in that period, yes.

Q Was your refusal to pay the bill a part of your protest against the war?

A No. It was just like Dick Gregory did the same thing; I read about what Dick Gregory did. You don't pay a bill, ordinarily they cut you off, but in this case they didn't ask about the money, they didn't say pay your bill or anything; in other words, they were utilizing--the conclusion I drew was that my phone was being utilized to keep track of who I talked to, etcetera. And they overlooked the fact, for one reason or another--and I think that's the reason they overlooked the fact it wasn't paid.

Q Did there come a time at which they finally cut the phone service off?

A No, I just paid the bill.

Q After five or six months?

A Something like that, yes.

Q And you drew the conclusion at the time that their failure to cut it off indicated that there was an electronic surveillance tied into that phone?

A Yes, that's the conclusion I drew.

Q Do you recall making statements, either in a speech or otherwise, in October of 1969 that you had pulled a telephone or an electronic device, a bug, from your telephone?

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A Yes, I was told by a person that there was an instrument inside the phone--I took my phone apart; and it occurs in a good share of the telephones in Washington, D.C., a little aluminum cylinder that's in there, and they say that that can be used to also pick up--your phone can be used as a mike, if that's in there. And I removed it. And I asked the phone people that were in the building--at one time they had a crew--and they said that the purpose of that is to amplify the calls, to make them come over a little stronger, that's all.

But I have never, gone visiting my folks, seen that little gadget in the phones there.

Q Can you recall the year approximately in which you examined your phone in that fashion? Would that have been in '69?

A It could have been anywheres around there--well, you've got the story.

Q Just for the record--maybe I can find it--I am referring to a report of what appears to be a newspaper article, which is quoted. The document I am looking at is contained in volume 20 of the documents which we produced to you in this case, and the particular item appears to be a quotation from a newspaper article, dated around the time of October 20th, 1969. And you are quoted as saying something to the effect that you had a microphone pulled out of--you

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are talking: "...a microphone pulled out of my phone. Even when my phone was on a hook, they could hear every belch that emanated from me when I ate lunch." You can look at that; that was the basis for the question.

A Well, it's authored by somebody else; it's got quotations around it, and I am not going to stand liable for that; I don't know if I said it was a microphone or it was a gadget. I know the phone worked without it, and to this day it works without it, the same phone.

Q But basically, whether or not the quotation is absolutely accurate, we are discussing the same incident, are we not, referred to there?

A Yes.

Q Did you have that item which you removed from the phone examined by any person qualified in electronics other than individuals at the phone company?

A Yes, a phone company operative was in the building; they were located there.

Q In your answers to interrogatories, you referred to a person by the name of Sal Torre, T-o-r-r-e, and you state that he checked your office phone with a device that allegedly registered bugs.

A Yes.

Q You can look at this again.

A Yes, his name was also Sal Ferrari; he worked, I

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Q Would these be articles pertaining to the activities of the Emergency Committee?

A Yes.

Q Were there any other incidents like that, or other incidents of a different nature which led you to believe that the FBI was monitoring your activities?

A You get so you don't give a damn, you know. At one time I used to drive looking through my mirror, and I was cognizant of that--there were many confrontations, evidence, and so forth. I just can't pinpoint anything right now.

Q These confrontations you just referred to, you mean confrontations with FBI agents?

A Yes.

Q And would this have occurred during the period '67 to '74?

A No, it was prior to it, I would say.

Q There were instances then--strike that. Were these confrontations initiated by you or the agents?

A By them.

Q They would approach you and attempt to ask you questions?

A That's right.

Q And would they identify themselves as FBI agents at that point?

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

- - - - - - - - - - - - - - - - -

JULIUS HOBSON, et al.,

Plaintiffs,

vs. : Civil Action No. 76-1326

JERRY V. WILSON, et al.,

Defendants.

- - - - - - - - - - - - - - - - -

Washington, D.C.
Friday, January 12, 1979

Deposition of ABRAHAM BLOOM, taken on behalf of the Defendants in the above-entitled matter, at the Department of Justice, Room 3137, 10th Street and Constitution Avenue, N.W., Washington, D.C., pursuant to Notice, beginning at 10:15 a.m. before Monica R. Tisiker, a Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

For the Plaintiff:

GAFFNEY, ANSPACH, SCHEMBER,
KLIMASKI & MARKS
BY: DANIEL M. SCHEMBER, ESQ.
1712 N Street, N.W.
Washington, D.C. 20036

questions and your answers verbatim.

It will be reduced to a typed transcript, which will be available, should this case go to Trial.

At any time I ask a question which you do not understand or for which you want further clarification, please ask me and I will endeavor to accommodate you.

If you answer a question, it will be presumed, of course, that you understood it; is this acceptable to you?

A Uh-huh.

Q Mr. Bloom, can you---

MR. REIN: You have to--do you want to say yes or no; you have to answer yes or no---

THE WITNESS: Oh!

MR. REIN: --instead of just nodding your head.

THE WITNESS: Yes, okay.

BY MR. WHITE:

Q Mr. Bloom, can you recall when you first decided to bring this civil action, this suit?

A Yes; there was a New York Times expose of C.I.A intrusions into various peace organizations and,

Edward Yagen (phonetic)?

A Yes; both Thomas Fulcher and Edward Jagen were people I knew and were working in our organization.

Q Is either one of both of those individuals the ones you have just referred to as being---

A Ed Jagen was the one who testified in a public trial, so it was a--there was a newspaper record with his name, so we knew that he was an agent.

Q This was the one that you associated with the National Peace Action Coalition?

A Yes.

Q Were there any other agents that you can now recall, either as to their names or their activities, who committed acts which were described in the Complaint?

A Yes. I had a whole list of people and we were able to conclude that they were agents, because of things that appeared in the records that we got from the F.B.I.

Q These would be documents which have been provided to you during this case or---

A Through this case or---

Q --the Freedom of Information Act?

the period of '67 to '74?

A Yes.

Q Is it your belief, sir, that the F.B.I. Defendants or persons working in their behalf committed break-ins to obtain your private political documents?

A We know of some break-ins that did take place and, therefore, we can assume that we were not--our organization was not immune to the same thing.

Q Which break-ins did you know about?

A There was one at the Washington Peace Center.

Q What year would that have been; do you recall?

A Probably, about 1970.

Q It was believed at the time that that break-in was committed by persons working for the F.B.I.?

A Yes.

Q Were you, yourself, affiliated with the Washington Peace Center at that time?

A Yes.

Q You stated that you knew of other break-ins;

Q I am sorry; could you spell that for me?

A G-a-b-r-i-e-l-l-e, Edgcomb, E-d-g-c-o-m-b.

Q To your knowledge, did she register any complaint with the postal authorities or with any other governmental authority regarding that incident?

A She turned it over to me as an example of what she thought was being done and to see if it could be used in any of the on-going trials that were being conducted.

Q What sorts of trials are you referring to, sir?

A Well, she--at that time, the SWP Trial in New York had begun and she thought it might be useful information for them.

Q This trial you are speaking of, is this by the SWP or against the SWP?

A By the SWP against the F.B.I.

Q You are referring, then, to the suit that the Socialist Workers Party brought against the Attorney General and others?

A Right.

Q I believe that suit was filed in July of 1973?

Q What is the basis of that belief, sir?

A On several occasions, I was approached by F.B.I. people and the documents, when we reviewed them, showed several occasions when I was being followed home from work to my apartment.

Q Regarding being approached, this occurred on more than one occasion?

A Yes.

Q Did it occur during the period '67 to '74?

A Yes.

Q Can you recall approximately how many and when?

A I can recall, at least, two specific instances and it would be in the early part of that period.

Q Perhaps, 1967 to 1969?

A Something like that.

Q On those two specific instances, did the agent or agents identify themselves as being---

A Yes.

Q --F.B.I. Agents?

Would it have been more than--was it one

a dollar a head as a contribution to the Black Front.

Q When did this dispute occur?

A Prior to one of the demonstrations; during this-period.

Q You can't recall which specific demonstration?

A I could track it down, but I can't remember it right now.

Q Maybe we can narrow it down: Would it have been in 1970 or 1971?

A Approximately.

Q When did you come to believe that this demand by the Black United Front was the result of the intercession of the F.B.I. or someone working on behalf of the F.B.I.?

A When one of the F.B.I. Agents released information specifying that he had produced a false letter that he sent at the time; that is a matter of public record.

Q This agent, to your recollection--is that agent or ex-agent, Robert Wall?

A Yes.

Q To your recollection, is this release of

information or disclosure made through newspaper articles or magazine articles written by or about him?

A Yes, yes.

Q Do you recall when that occurred, when those articles were written?

A It might have been '74 or '75.

Q It is not your recollection that it occurred or that the articles were published around January or February of 1972?

A Could be.

Q Let me narrow it down a little more: Would one of the articles have been published in the New York Review of Books?

A Yes.

Q Was there, to your recollection, another article published in Potomac Magazine?

A I believe so.

Q That used to be the Sunday Supplement of the Washington Post?

A Yes.

Q What damage, if any, did this dispute between the Black United Front and the Peace Organization

cause?

A It was very bad for relations with the black community and it limited the participation of blacks in the demonstrations.

Q Is it your recollection from the articles by Special Agent Wall that, according to him, this idea of the one dollar tax per person was suggested to the Black United Front and then---

A Yes.

Q It is your recollection as well that this actually occurred; that is, there was, in fact, a demand by the Black United Front that such a tax be imposed or levied?

A Yes.

Q Was there an amount mentioned in connection with this demand?

A I think it was a dollar a head.

Q Was there a total amount?

A Well, we were estimating a quarter of a million people alot of times, so it would have been alot of money.

Q In connection with that demand, was it that they wanted payment by the Peace Organization to

the Black United Front in that amount?

A Yes.

Q What were the conditions connected with the tax there during it--to participate?

A That would be--for one thing, that would be a condition for their participation and the other--if we didn't, they would use their influence to--in the community, in the black community, to minimize any black participation.

Q Was there, in fact, money given to the Black United Front---

A No.

Q --as a result of that demand?

A No.

Q I believe you said there was limited black participation in the demonstration?

A Yes.

Q By "limited," do you mean there was less participation by blacks in that demonstration than usual?

A Yes, yes.

Q What did the Black United Front propose to do with the money, if the Peace Organizations had paid

it?

A It was my understanding that it was to be used for useful activities of black organizations -- buy, I think, a printing press, things of that sort that they were exorcising---

Q Do you recall what individuals in the Black United Front were making that demand?

A They were pretty solid among themselves; I mean, it was---

Q It was a damand of the organization---

A Of the organization, yes.

Q You don't have any knowledge, though, as to what individual in the Black United Front originally suggested it?

A No.

Q To your recollection, has any false information about you been published in the newspapers or broadcast over radio or television, which false information would have been supplied by the F.B.I. or persons acting on behalf of the F.B. I.?

A Well, at the time--when our business was trying to do a merger with another company, an anonymous letter was sent to the other company alleging

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

JULIUS HOBSON, et al., : VOLUME I

Plaintiffs, :

v. : CA No. 76-1326

JERRY WILSON, et al., :

Defendants. :

Washington, D.C.
Monday, November 16, 1981

The above-entitled matter came on for pretrial before the HONORABLE LOUIS OBERDORFER, United States District Court Judge, in Courtroom No. 3.

APPEARANCES:

ON BEHALF OF THE PLAINTIFF:

Mr. Daniel M. Schember, Esq.
Ms. J.E. McNeil, Esq.
Ms. Anne Pilsbury, Esq.

ON BEHALF OF THE FEDERAL DEFENDANTS:

Mr. David White, Esq.
Mr. Dennis F. Hoffman, Esq.

ON BEHALF OF THE DISTRICT OF COLUMBIA DEFENDANTS:

Ms. Laura Bonn, Esq.
Mr. George Barclay, Esq.

Official Reporter: Bruce W. Herzfeld

the plaintiffs acquire actual knowledge for the basis for their cause of action, or until they acquire such knowledge which combined with due diligence would have led them to other knowledge. It is at that point when the statute starts to run, and --

THE COURT: Doesn't the duty to due diligence begin before the statute begins?

MR. SCHEMBER: No, Your Honor, our contention is that the point in time is the same.

THE COURT: Once the statute is tolled, is it tolled until there is actual knowledge from an independent source justifying a complaint?

MR. SCHEMBER: No, or until the plaintiff acquires knowledge which if combined with due diligence would lead to that actual knowledge.

THE COURT: Do you offer any evidence -- are you offering any evidence of due diligence?

MR. SCHEMBER: No. Our offer is that prior to July 15, 1973, we had no information that could have led to intelligent prosecution of a claim or to even investigation of a claim, and that the duty of -- that the obligation of due diligence certainly did not arise prior to July 15, 1973, which is three years prior to the filing of the complaint.

THE COURT: How long was the statute tolled?

MR. SCHEMBER: That is when the statute started to

R. 260

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

VOLUME II

JULIUS HOBSON, et al.,)

Plaintiffs,)

vs.) Civil Action No. 76-1326

JERRY WILSON, et al.,)

Defendants.)

Washington, D.C.

November 24, 1981

The above-entitled case came on for trial before the HONORABLE LOUIS OBERDORFER, United States District Judge.

APPEARANCES:

ON BEHALF OF THE PLAINTIFFS:
Mr. Daniel M. Schember, Esquire
Ms. J.E. McNeil, Esquire
Ms. Anne Pilsbury, Esquire

ON BEHALF OF THE FEDERAL DEFENDANTS:
Mr. David White, Esquire
Mr. Dennis F. Hoffman, Esquire

ON BEHALF OF THE DISTRICT OF COLUMBIA DEFENDANTS:
Ms. Laura Bonn, Esquire
Mr. George Barclay, Esquire

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I N D E X

- - - - -

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
Tina C. Hobson	26	72	98	
Abraham Bloom	100	157	204	

EXHIBITS:	FOR IDENTIFICATION	IN EVIDENCE
Plaintiffs' 21		46
Plaintiffs' 20		53
Plaintiffs' 9 [sic] - 99		71
Plaintiffs' 18		126
Plaintiffs' 17		129
Plaintiffs' 14		138
Plaintiffs' 7 and 8		142
Plaintiffs' 96		157
Defendants' 3	184	
Plaintiffs' 13		208

A. Yes, I am.

Q. Where do you work?

A. I work at the Department of Energy. I am Director of the Energy Equipment Division in the Office of Conservation and Renewable Resources.

Q. How long have you been there?

A. I have been there since 1974.

Q. Where did you work prior to that?

A. At the Civil Service Commission since 1967. I do want to amend that. There wasn't a Department of Energy in 1974, it was called the Federal Energy Office.

Q. And before you were at the Civil Service Commission, where were you employed?

A. Before I was at the Civil Service Commission, I was at the National Institute for Public Affairs.

Q. Have you basically worked ever since you graduated from college?

A. No, I was married for nine years, and I stayed at home and worked at home.

Q. Are you married at the present time?

A. No, I am not.

Q. Were you previously married?

A. Yes.

Q. Who was your husband?

A. Julius W. Hobson.

interest because Mr. Hobson had filed a suit against the federal agencies charging discrimination.

MS. BONN: Your Honor, I would like to object.

THE COURT: Objection sustained.

BY MS. PILSBURY:

Q. Okay, Mrs. Hobson, was there anything else that took place at your employment coincidental with the time that you announced your engagement?

A. Yes, I was transferred from my job and a new full field investigation was instigated.

Q. From your knowledge of Civil Service Commission practices, is it common to do a full field investigation of someone who is already on board?

A. No.

Q. Were you under consideration for a promotion?

A. No.

Q. Is there any indication in the documents that you have before you what prompted the field investigation in 1969?

THE COURT: The answer to that is yes or no.

THE WITNESS: Yes.

BY MS. PILSBURY:

Q. Could I refer you to document 99-7?

MS. PILSBURY: Can I read, Your Honor, or can I ask the witness --

THE COURT: Do you have a question about the

document?

MS. PILSBURY: I want to ask her what the first paragraph says.

THE COURT: Do you have a question about the first paragraph?

MS. PILSBURY: Yes.

THE COURT: Why don't you frame a question that includes a paraphrase or quote of the first paragraph?

BY MS. PILSBURY:

Q. With reference to document 99-7, Mrs. Hobson, which is dated November 20th, 1969, and indicates that an individual identified as S.E. Alfred H. Kreckman, spelled K-R-E-C-K-M-A-N, caused a search to be made of the files of the Bureau of Personal Investigations, Civil Service Commission, and was advised on 10-29-69 that the Civil Service Commission conducted the following investigations, and then it lists them. At what point in time do you recall being told that a field investigation was being conducted?

A. About that point in time.

Q. Thank you.

Now, with reference to the dates on these documents which you have before you, July through November of 1969, were you aware at that time that your marriage to Julius Hobson, or your affairs, were the subject of FBI interest?

A. No.

Q. What sort of activities were you involved in at this period immediately prior to your marriage to Julius Hobson, what sort of outside activities?

A. I was involved in women's activities, abortion reform, peace issues and civil rights issues.

Q. Okay. Now, directing your attention to the period beginning roughly with your marriage to Mr. Hobson and continuing on through 1973, could you just describe in general terms first what sort of outside activities you were involved in yourself?

A. Personally?

Q. Yes.

A. Yes, I was involved in working toward getting the Equal Rights Amendment out of Congress, which involved a demonstration and other activities there. We participated in all peace demonstrations and efforts to bring attention to that issue. We were involved in racial civil rights areas in terms of lawsuits and hearings on the Hill. We were involved in local District politics in terms of statehood, school board elections and the proposed elected city council.

Q. Okay. Now, could you off the top of your head list all of the peace demonstrations or antiwar meetings that you went to in this period?

A. No, because we went to every one that we were invited to.

Q. Okay, I am going to ask you about some specific events that occurred in that period and ask you whether or not you recall if you participated in them at any level. In October of 1969, do you recall whether or not you joined in an activity called Viet Nam Moratorium Day?

A. Yes.

Q. Were you active or participated in a group called Federal Employees Against the War?

A. Yes.

Q. Do you recall whether you participated in a march to Washington in November of 1969?

A. Yes.

Q. Did you ever attend or participate in any activities sponsored by the Emergency Committee on the Transportation Crisis?

A. Yes.

Q. Did you attend or participate in an antiwar demonstration in Washington, D.C. in April of 1970?

A. Yes, if that specific -- could I ask for a clarification of the question?

THE COURT: No, you can't ask a question, ma'am.

BY MS. PILSBURY:

Q. If you are not certain, just say you are not certain.

A. I am not certain.

Q. In February of 1971 did you attend or participate in a conference sponsored at Catholic University by a group called the Student Mobilization Committee Against the War in Viet Nam?

A. Yes.

Q. Did you attend or participate in a demonstration on April 24th, 1971 sponsored by a group called the NPAC?

A. Yes.

THE COURT: Spell that.

MS. PILSBURY: National Peace Action Coalition, abbreviated capital N-P-A-C.

BY MS. PILSBURY:

Q. Did you attend or participate in an event called the Moratorium Day in April of 1972, which was a march from the Lincoln Memorial to the Pentagon?

A. Yes.

Q. Did you participate or attend a demonstration in May of 1972 at the Capitol?

A. Yes.

Q. And did you attend or participate at a demonstration called Ring-Around-The-Capitol in June of 1972?

A. Yes.

Q. In regard to these activities did your involvement go beyond simply attending?

A. Yes.

Q. What else did you do?

A. I was occasionally moderator. I frequently spoke. I assisted in the preparation.

Q. Did you contribute money?

A. Yes.

Q. Specifically, did you ever contribute any funds to support the Viet Nam Moratorium Day Committee?

A. I can't recall specifically.

Q. The Washington Area Peace Action Coalition, also known as WAPAC?

A. We would have if we could have.

Q. You don't recall --

THE COURT: Again, Mrs. Hobson, you will have to answer questions in a very literal way.

THE WITNESS: Your Honor, I know we gave money, but I don't know who to.

THE COURT: It's not relevant that you would have if you could have.

MS. PILSBURY:

Q. Do you recall that you did give money?

A. Yes.

Q. But you don't recall the names of the specific groups?

A. No.

Q. Mrs. Hobson, as you saw it at that time, what was

THE COURT: You are dealing here with a First Amendment right of association in attracting stars to a political operation. I wanted to test it to make sure that it just wasn't brandishing King's name. I anticipated your objection and it is overruled.

BEFORE THE JURY:.

BY MS. PILSBURY:

Q. Do you recall the question, or do you want it repeated?

A. Yes. Who were in the front line of the march?

Q. That's right.

A. My husband, William Sloane Coffin from Yale, Coretta King, George McGovern, and there were three or four others that I'm sorry, I cannot remember.

Q. Were you at the front of the march as well?

A. Yes.

Q. Do you recall whether the remainder of the participants in that march were mostly black people or mostly white people?

A. Mostly white.

Q. Had efforts been made that you were aware of at that time to encourage local black citizens and black groups to participate in the peace movement?

A. Yes.

Q. What was the result of those efforts?

A. Discouraging.

Q. Did you take an active part at that time in trying to develop participation by both black and white groups in the peace movement?

A. Yes.

Q. Was this an important goal to you at the time?

A. Yes.

THE COURT: You will have to be careful about leading.

MS. PILSBURY: Thank you, Your Honor, I will certainly try to be.

BY MS. PILSBURY:

Q. Mrs. Hobson, I will show you a document marked for identification as Plaintiffs' Exhibit 21.

THE COURT: Do defendants have that?

MS. PILSBURY: I will give everybody a minute, Your Honor, to find that.

BY MS. PILSBURY:

Q. Have you seen these documents before, Mrs. Hobson?

A. Yes, I have.

THE COURT: Is there more than one? Did you say Exhibit 21?

MS. PILSBURY: It has got seven pages, Your Honor.

THE COURT: Very well.

BY MS. PILSBURY:

A. Yes.

Q. And was he accused of being an Uncle Tom or a traitor to the black people?

A. No.

Q. Was there ill feeling within the Black United Front --

THE COURT: Asked and answered.

MS. PILSBURY: Okay.

BY MS. PILSBURY:

Q. Did the attempts to involve black groups in the peace movement continue after November 1969?

A. Yes.

Q. And from your knowledge was it a goal that was shared by others in the Washington, D.C. area who were active in the peace movement?

A. Yes.

Q. Now, directing your attention to the general period that we are talking about in this case, roughly 1967 through 1973, at any time in this period, or for that matter before or after, did you ever engage in any demonstration or activity which was in any way destructive of property?

A. No.

Q. Or violent in any sense?

A. Yes.

Q. What was that?

A. I was the moderator at a demonstration on Capitol

Hill, and of about 25,000 -- I was the only one on the platform, and I could see in the back smoke bombs and activity and smoke rising, and there was action by police that I could see at the very back. And I was worried that it would cause 25,000 people to panic, so I called Julius up the ladder, and he had difficulty getting up because he was ill, but he got up that ladder, and he took a look around, and he said, "Now, nobody look behind you. There is some activity going on. It is generated by the police. This is a peaceful demonstration and we want to keep it peaceful" --

MS. BONN: Your Honor, I will place an objection. It is hearsay.

THE COURT: Hearsay? The objection is overruled. She said that she was standing there watching it and listening to it. What is the hearsay?

MS. BONN: May we approach the bench?

THE COURT: I don't think so, no. Go ahead.

THE WITNESS: And everybody did. It remained peaceful and the smoke and the activity by the police was contained in the rear.

BY MS. PILSBURY:

Q. Did anyone ever attempt to persuade you from attending or participating in any demonstrations?

A. Yes. There was one demonstration --

THE COURT: You answered the question yes.

MS. PILSBURY: Okay.

BY MS. PILSBURY:

Q. Were you ever arrested yourself?

A. Yes.

Q. When was that?

A. That was on the Capitol Hill demonstration when we had a sit-in in the House of Representatives.

Q. Would that have been in June of '72?

A. Yes.

Q. Were you convicted?

A. No.

Q. Did you know, at any of this time, '67 through '73, for a fact that your activities were under surveillance by either the FBI or the D.C. Police?

A. I don't understand the question, Your Honor.

THE COURT: You will have to rephrase the question.

BY MS. PILSBURY:

Q. My question is whether you knew for certain in the period 1967 through 1973 that your activities were under surveillance by either the FBI or the D.C. police?

A. No.

Q. When did you first become aware that you had been under surveillance -- did there come a time when you learned that you had been under surveillance by the D.C. Police?

A. Yes.

Q. And when was that?

A. In the newspaper, I read it in the newspaper.

THE COURT: The question was when, not where.

BY MS. PILSBURY:

Q. Do you recall when?

A. No, I do not, no.

MS. PILSBURY: If I could have the Court's indulgence for a moment, Your Honor.

BY MS. PILSBURY:

Q. I am going to show you a document captioned "Plaintiff Tina Hobson's Response to First Set of Interrogatories," and direct your attention to your response at the top of page 5 and ask you if that refreshes your recollection.

A. Yes.

Q. What was the date of the article?

A. February 15th, 1975.

Q. Was that the first time that you learned that you were actually under surveillance --

THE COURT: That's been asked and answered. You asked the question when was it she first learned, and she just gave you the date.

MS. PILSBURY: Fine, thank you, Your Honor.

BY MS. PILSBURY:

Q. Had you any knowledge about the FBI at that time?

THE COURT: That is an impossible question.

BY MS. PILSBURY:

Q. About the FBI surveillance of your activities?

A. No.

MR. WHITE: Your Honor, I would object to the question as not indicating a time. The phrase "that time" was not indicated.

MS. PILSBURY: The reference was to 1975, the date of the article on the D.C. Police.

THE COURT: That is what you say. What does she say? Why don't you just start over and ask a proper question now and get an answer.

BY MS. PILSBURY:

Q. Mrs. Hobson, when did you first learn that you had been the subject of FBI surveillance?

A. When we received the FBI file.

Q. And when was that, roughly?

A. We wrote for it in '74. I don't recall the date that we received the file.

Q. It would have been sometime after 1974?

A. Yes.

Q. When you say that you wrote for it, could you be more specific?

A. Yes. Actually my husband wrote the FBI for our files, both of our files.

Q. Was that under the Freedom of Information Act?

A. Yes.

Q. So sometime after 1974 you received --

A. Right.

Q. Did you receive your complete file, as far as you know?

A. No.

Q. Did you receive documents in the course of this litigation which you had not seen before?

A. Yes.

Q. Had you any knowledge prior to this litigation that the FBI was engaged in attempting to sow dissension within the Black United Front and between the Black United Front and the peace groups?

A. No.

MS. BONN: Objection.

MR. WHITE: Objection.

THE COURT: Objections are sustained. You will disregard the counsel's testimony. As I told you before, you don't take evidence from lawyers, you take it from witnesses.

And your question should be related to an exhibit number or a date rather than trying to hype the description of what happened.

MS. PILSBURY: Okay, Your Honor. I was just trying to save a little time.

BY MS. PILSBURY:

Q. Mrs. Hobson, with reference to the FBI activities described in Exhibits 20 and 21 do you have those?

A. I have 20. Yes.

Q. With respect to those activities had you any knowledge of those, of the FBI's role in those activities as described in those documents prior to this litigation?

A. No.

Q. Finally, Mrs. Hobson, could you just describe what effect, if any, the FBI's activities or the activities of the D.C. Police, as you have become aware of them, have had on you personally in terms of --

MR. WHITE: Objection.

THE COURT: Sustained.

MS. PILSBURY: Do you want me to be more specific?

A. Yes, you can talk about the things that are described in those exhibits if you want to about which she has testified, but limited to that.

MS. PILSBURY: Okay.

BY MS. PILSBURY:

Q. Mrs. Hobson, in reference to the activities described in the Exhibits 20 and 21, could you describe what effect, if any, those activities had on your exercise --

THE COURT: Don't characterize them legally, tell her on doing particular things.

MS. PILSBURY: -- on your involvement in the peace movement?

A. I am sorry, no, I don't understand the question.

BY MS. PILSBURY:

Q. Okay. What impact, if any, did the activities by the FBI --

THE COURT: Just a moment. Let me ask it: Ask her something like what effect, if any, did the events about which you testified, and which are evidenced by those exhibits, have on your participation in the peace movement.

MS. PILSBURY: Thank you, Your Honor.

BY MS. PILSBURY:

Q. Could you answer that question, Mrs. Hobson?

A. If I understand the question, the answer is none.

Q. Did the activities that have been described in these exhibits cause you any personal injury?

A. The answer is -- Your Honor, could I ask you a question?

THE COURT: You just answer the question either yes or no.

THE WITNESS: Yes.

BY MS. PILSBURY:

Q. And could you describe what sort of injury it caused?

A. Yes. That was at the time in 1969 where these

documents were written. That was the period during which Julius and I were considering being married. We were subject to all sorts of telephone calls around the clock --

THE COURT: Just a moment.

THE WITNESS: Is that the question?

THE COURT: That's objectionable. There is no evidence here that anybody who is a defendant here made any telephone calls. I asked -- the question was anything that has been described in these exhibits or in her testimony, not something that hasn't been described in the testimony.

BY MS. PILSBURY:

Q. Okay, Mrs. Hobson, I asked you to --

THE COURT: Just a moment, I think there is an objection.

MS. BONN: We move to strike that last response as being nonresponsive.

THE COURT: Yes.

BY MS. PILSBURY:

Q. Okay, Mrs. Hobson, I will have to ask you to confine your response in terms of any injury to your political activities as opposed to your --

A. Yes, there was injury.

Q. Okay, what sort of injury?

A. The injury was that your efforts to get black people to participate in the march were not as effective, and

November the head of the investigation area, and he was the person in charge.

Q. He he was an employee of the Civil Service Commission?

A. Yes.

Q. Did he tell you why the investigation was being conducted?

A. Yes, he did.

Q. Do you recall the year of this conversation?

A. 1969, in November, after the engagement was announced to my husband.

Q. And what did he say was the reason for the investigation?

A. He said -- remember, it was an update to a full field investigation, which I had already had at the Peace Corps. He stopped me and he said, "I'm surprised at you," and the inference was marrying someone like Julius Hobson. He said, "We are reviewing your files and they are so clean."

Q. Mrs. Hobson, you just made reference to an inference. Was that your inference at the words, "I'm surprised at you"?

A. That was my inference.

Q. Did this individual indicate in any way that the FBI was somehow involved in this update?

A. No.

Q. Mrs. Hobson, you also went through a reasonably lengthy list of the demonstrations that you participated in. Do you recall that testimony?

A. Yes.

Q. Was there ever an occasion in which you failed to go to a demonstration upon an invitation or upon your own desires to participate?

A. Only if I was sick.

Q. Mrs. Hobson, were you a member of or affiliated with the National Mobilization Committee or the New Mobilization Committee?

A. I worked with that specific '69 march. I can't recall being a member of anything.

Q. Is your answer no, Mrs. Hobson?

A. My answer is I can't recall.

Q. Were you a member of, yourself, the Black United Front?

A. No.

Q. Did you attend meetings of the Black United Front?

A. No.

Q. Then you would not have been present at the time that the Black United Front voted or not on the matter of charging the National Mobilization Committee for the demonstration?

A. No.

Q. Then you do not know, then, whether that was an official position of the Black United Front as a group?

A. Would you rephrase that question?

Q. I will withdraw the question, Mrs. Hobson. You, yourself, participated in the November 15, 1969 demonstration, did you not?

A. Yes.

Q. The dissension which you testified about, therefore, between the Black United Front and the National Mobilization Committee had no effect on your participation in that demonstration or in any other demonstration; is that correct?

A. Yes, it did, it had an effect.

Q. And what was that effect?

A. We had to double our effort to try to get black people to participate in the march, or triple it, or quadruple it; and we had to constantly reassure and educate and smooth over the suspicions, the frustrations and the hatreds that apparently were generated by the FBI and other people.

Q. Apparently, Mrs. Hobson? Apparently from what?

A. From these documents. I think it's ridiculous --

THE COURT: Just a moment, that's not a proper answer.

THE WITNESS: I'm sorry.

BY MR. WHITE:

have seen this morning?

A. That's correct.

Q. And you have no personal knowledge other than that of the alleged FBI involvement in the Black United Front's charge?

A. If these are FBI papers, it is very clear that they were involved.

Q. Mrs. Hobson, was Mr. Charles Brennan involved in this matter to your personal knowledge?

A. You are going to have to refresh Charles Brennan.

Q. At this point your answer is that you do not know?

A. Would you tell me who Mr. Brennan is?

THE COURT: You can't ask questions, Mrs. Hobson.

BY MR. WHITE:

Q. Mrs. Hobson, to your knowledge, was Mr. George C. Moore personally involved in this matter?

A. I don't know.

Q. To your knowledge, was Mr. Gerald T. Grimaldi involved?

A. I don't know.

Q. Have you ever heard of an agent by the name of Robert Wall?

A. I don't know.

Q. I believe you testified earlier, Mrs. Hobson, that you participated in meetings in which the Black United Front

Q. Mrs. Hobson, are you seeking damages in this case from Mr. George C. Moore, one of the FBI defendants?

A. I am seeking damages in this case.

Q. From each of the five defendants?

MS. PILSBURY: Your Honor, I would object, that really calls for a legal conclusion.

THE COURT: That's overruled.

BY MR. WHITE:

Q. Mrs. Hobson, are you asking for damages from each of the five FBI defendants?

A. Yes.

MR. WHITE: May I approach the witness, Your Honor?

THE COURT: Yes, indeed.

BY MR. WHITE:

Q. I am showing --

MS. BONN: Could I ask through the Court for counsel to identify what he is showing to the witness?

THE COURT: Certainly. He will do that.

BY MR. WHITE:

Q. Mrs. Hobson, would you examine that document? Have you seen that document before?

A. Yes.

Q. And I would like you to look at the last page. Is that your signature appearing on that document?

A. Yes.

the individual or entity from whom you are entitled to recover that amount."

Would you look at that interrogatory? I have paraphrased it.

A. Right. "If you incurred actual financial expenses or suffered a financial loss." Interrogatory 4 here?

Q. Yes. Mrs. Hobson, would you now look at your answer to that interrogatory?

A. Yes, to my best --

THE COURT: He asked you to look at it.

THE WITNESS: I have looked at it.

BY MR. WHITE:

Q. You have, in answer to that portion regarding stating names, a list of names; is that correct? You have listed several names?

A. Yes, those were the names on the case.

Q. Does the name of George Moore appear in that list?

A. No.

Q. Will you look at interrogatory number 5?

A. Right.

Q. And, again, asked you to state the names of persons from whom you believe you are entitled to damages in this case --

A. Right.

Q. -- is that correct?

A. Yes, that's correct.

Q. And does the name George Moore appear in that answer?

A. No, it does not.

Q. Thank you, Mrs. Hobson, if I could have this back.

Now, Mrs. Hobson, are you seeking damages in this case from Gerald T. Pangburn?

A. I am seeking damages in this case to those people who were responsible for this kind of behavior by the FBI and held responsible positions, and I think those are the names, just like I am responsible for my office as a ranking senior executive in the Federal service, I am assuming those are the people who are responsible for the actions of their subordinates.

Q. Are you aware that your attorneys have recently filed papers in this case in which they identified the acts which they believe occurred and the defendants that they believe were responsible for them?

A. I don't recall whether I was told that.

MR. WHITE: May I approach the witness, Your Honor?

MS. PILSBURY: Your Honor, I have an objection. Could I approach the bench?

THE COURT: Yes, the objection is sustained.

BY MR. WHITE:

Q. Are you aware, Mrs. Hobson, that your attorneys, in

THE WITNESS: Yes.

BY MR. WHITE:

Q. Before you made the request you were aware that you had a file; is that your testimony?

A. No. Would you rephrase the question and I can tell you.

Q. You requested your file in 1974 under the Freedom of Information Act?

A. That's correct.

Q. Were you aware that you had a file at the time that you made the request?

A. No.

Q. It is your testimony that you were not aware that you had been the subject of FBI surveillance at the time that you made the request for the file?

A. Would you repeat the question, I'm sorry.

Q. In 1974, when you made the request for your file --

A. Right.

Q. -- were you aware that you had been -- or did you believe -- were you aware that you had been of interest to the FBI or had been the subject of FBI surveillance?

A. I didn't know for sure. I knew Julius was, and if I was married to him I probably was. Guilt by association.

MS. BONN: I make a motion to strike that.

THE COURT: That's stricken. Mrs. Hobson, I have

to caution you about that, this is not that kind of a place, this is a courtroom. You testify to facts and you answer the questions precisely, and don't make speeches.

THE WITNESS: Yes, sir.

BY MR. WHITE:

Q. Mrs. Hobson, was there any particular event which caused you to file this civil action?

A. Yes, Julius Hobson was --

THE COURT: The answer is yes.

THE WITNESS: Yes.

BY MR. WHITE:

Q. And what was that event?

A. My husband was elected to the City Council and we felt as a member of the City Council he would be more apt to get an honest reply if he requested the information.

Q. Mrs. Hobson, do you recall coming to the Department of Justice building in November of 1978 for purposes of a deposition in this case?

A. I remember coming to the building. I can't confirm the month.

Q. Do you recall at that time that I asked you a number of questions relating to this cause of action?

A. Yes. Subsequent to that time, new information has come up, however.

Q. Thank you, Mrs. Hobson.

MR. WHITE: I would like to direct the Court's attention to page 9, line 6 through line 15 of Mrs. Hobson's deposition.

THE COURT: Go ahead.

BY MR. WHITE:

Q. Mrs. Hobson, when was your husband elected to the City Council?

A. In 1974.

Q. I would like you to look at that starting at line 6. Do you recall- --

A. Well, could I read --

Q. Yes, I'm sorry.

A. Do you want me to read 6 to 15?

Q. Mrs. Hobson, do you recall that I asked you the question, "Do you recall when you first considered joining in this action as a plaintiff"?

A. That's right.

Q. And what is your answer?

A. We helped to initiate this action.

Q. Would you read the answer, please?

A. "We didn't consider joining it, we helped" --

THE COURT: Just a moment, Mrs. Hobson. I think the correct procedure is for you to ask the questions and see if the deposition -- what are you offering the deposition for?

MR. WHITE: I had asked previously, Your Honor,

what event occurred to lead her to file this action and the purpose of this --

THE WITNESS: No, that wasn't your question.

THE COURT: Just a moment, I am talking to the lawyer. Why don't you come up here.

AT THE BENCH:

THE COURT: I just glanced at that, but I thought you would have asked her, and it ought to have a direct need to refresh her recollection to impeach her. I thought you would have asked her when she first decided to bring the suit. Isn't that what this is about?

MR. WHITE: I asked her what event occurred.

THE COURT: She answered that.

MS. PILSBURY: That wasn't the question asked.

THE COURT: Just a moment, I am talking to him. You have to learn some manners.

MR. WHITE: This excerpt, as well as what is on the next page, goes to the next point.

THE COURT: I am just anticipating a problem. I don't know where you are right now. Aren't you planning to ask her when she first considered bringing the lawsuit? You asked her here on line 6. Aren't you going to ask her that in open court?

MR. WHITE: I wasn't going to ask her that question because --

MS. BONN: For a point of clarification for the use of depositions -- for a point of clarification with regard to use of depositions, which I presume we will be using through this trial, if we hand the deposition over and ask the witness to read the question herself, may we then approach the witness, and, if the witness's memory is not refreshed, read the statement to the witness?

THE COURT: You don't have to approach the witness. You can do that from the podium. You should have a copy of the deposition and the witness have a copy of the deposition. I assume that you are using the deposition for either one of two purposes: Either to refresh a witness's recollection -- you can only do that when the witness says, "I don't recall." Then you can say do you recall the deposition, and would that refresh your recollection, and you give them the opportunity, and if your recollection is refreshed what is it -- or you can use it for impeachment. You can't use it for direct testimony.

MS. BONN: His purpose -- what my understanding is -- Mr. White is using it for straight impeachment purposes.

THE COURT: That is impeachment?

MR. WHITE: That is correct, Your Honor.

THE COURT: What is the statement that she made that you think you are going to impeach?

MR. WHITE: The event upon which she decided to

file suit.

THE COURT: Okay.

BEFORE THE JURY:

BY MR. WHITE:

Q. Mrs. Hobson, we were looking at the transcript of your deposition taken three years ago.

A. Right.

Q. Directing your attention to line 6 --

A. Right.

Q. -- I have the question, "Do you recall when you first considered joining in this action as a plaintiff"?

A. Correct.

Q. Would you read your answer to that, please?

A. "We didn't consider joining in it, we helped to initiate it."

Q. And then there is a question: "When did that occur, please," and your answer to that?

A. "I don't even remember except it was a long time. I mean, this case -- probably about three years before the case was brought we were talking about it."

Q. Then there is the question, "That would have been perhaps sometime in 1973," and your answer? "Or earlier, anytime after '69."

Q. Mrs. Hobson, would you please turn to page 10, and I would like to direct the Court and counsel's attention to

page 10, lines 3 through 7.

A. Right.

Q. Mrs. Hobson, the question appears, "Was there a particular event which finally motivated the filing of the suit"?

A. "No."

Q. Your answer in the deposition was "No"; is that correct?

A. That's correct.

THE COURT: Excuse me, Mrs. Hobson, he is reading questions from the deposition and you are -- you have to wait until he asks you a fresh question, because you don't answer the question read from the deposition until he asks you a fresh question.

THE WITNESS: Oh, oh, okay.

MR. WHITE: Thank you, Your Honor.

BY MR. WHITE:

Q. Again, Mrs. Hobson, I think we might have gotten a little confused on that. The question at the deposition was, "Was there a particular event which finally motivated the filing of the suit," and would you read your answer, please?

A. "No, it was just one of the priorities on our list, and we just got down to that priority."

Q. Thank you, Mrs. Hobson.

A. It was in 19 --

THE COURT: Just a moment, you have answered the question.

THE WITNESS: All right. I think I misunderstood the question -- okay, I am sorry.

BY MR. WHITE:

Q. I'm sorry, Mrs. Hobson, I am getting away from myself. I would like to return this to you.

Mrs. Hobson, earlier you testified that you did not become aware of surveillance until you received the file in 1974; is that correct?

A. No, that's not correct. We were aware of surveillance. We were aware, or thought there might be surveillance. We were not sure of it until we requested the FBI forms after 1974 and got them when my husband was a member of the City Council. We were not sure, we suspected it, and that's why we talked about a lawsuit.

Q. When did you begin to suspect that, Mrs. Hobson?

A. We suspected it ever since I knew Julius, because we were --

THE COURT: You answered the question.

BY MR. WHITE:

Q. What year was that?

A. 1967.

Q. And you waited until 1974 to make the request for the file; is that correct?

A. In the first place, there wasn't a freedom --

THE COURT: Just answer it --

THE WITNESS: Yes.

MR. WHITE: Thank you. I have no further questions.

THE COURT: Ms. Bonn, do you wish to question?

MS. BONN: Mr. Barclay will be conducting the examination.

BY MR. BARCLAY:

Q. Mrs. Hobson, I am George Barclay and I represent the District of Columbia Defendants and the Metropolitan Police Officers who are named in this case, and I have a few questions to ask you.

In your direct examination you testified in regard to a demonstration in May of 1972 at the Capitol in which you were the moderator?

A. Yes.

Q. And I believe you testified that there were approximately 25,000 people at that demonstration?

A. Yes, I did testify to that. It could have been another time, because I went to all the demonstrations, and it could have been either the October 9th demonstration or the May demonstration, but it was on the Capitol steps.

Q. In any event, would it be fair to say that there was a very large number of people at that demonstration?

A. Yes, about 25,000.

Q. As moderator were you standing on the steps of the Capitol?

A. No, I was standing on a huge platform above the steps. I mean, it was a big platform on the steps so I could see all the way to the back.

Q. How far back did the crowd extend?

A. To the street. And remember, there has been a lot of remodeling, too.

Q. You testified that you saw some smoke bombs in the back of the crowd; is that correct?

A. That's right, and what looked like police -- they could have been park rangers, they could have been, but uniformed people running around.

Q. You can't say for a fact who started or threw those smoke bombs, can you?

A. No.

MR. BARCLAY: I beg the Court's indulgence for a moment, Your Honor.

Your Honor, may I approach the witness?

THE COURT: Certainly.

MR. BARCLAY:

Q. Mrs. Hobson, Mr. White previously asked you whether you attended a deposition at the Department of Justice in November of 1978?

A. Right, yes.

Q. I would refer the Court and counsel to page 45 of that transcript of that deposition.

A. Right.

Q. Do you recall that there was a gentleman by the name of Mr. Earl who was the counsel for the District of Columbia Defendants at that deposition?

A. If you are telling me that's his name, I'm sorry, I don't remember it.

Q. But do you recall an individual --

A. Yes, I do.

Q. Referring your attention to line 9.

A. Right.

Q. Do you recall being asked the question, "You indicated earlier that you knew that you were being followed by the Metropolitan Police Department. When did you become aware of that?" Could you state your response, please?

A. "Yes, when I read it in the newspaper."

Q. Directing your attention to line 20. "So you became aware of it when Mr. Benstead indicated that in" -- would you state your response?

A. "No, I was aware of it. Again, I want to point out that it was an accepted fact, dot, dot, dot" -- I wasn't permitted to finish my sentence.

Q. And the next question was "Yes"?

A. That is the questioner.

Q. Did you give a further answer on line 1 of page 46?

A. Are you asking me to read the answer?

Q. Yes.

A. "In the District, particularly those of us who worked for the Federal Government and were outspoken against the war in Viet Nam were subject to a lot of harassment, so that we assumed we were tailed. We just didn't pay any attention to it. I wasn't surprised to read about it in the newspaper." There is a difference between knowing and --

THE COURT: Don't argue.

THE WITNESS: Excuse me.

BY MR. BARCLAY:

Q. Thank you.

Mrs. Hobson, in your complaint there were several rather numerous District of Columbia Defendants who were named as individual defendants?

A. Right.

Q. Do you know a police officer by the name of Christopher Scrapper?

A. No.

Q. Do you know a police officer by the name of Jack Acree?

A. No.

Q. Do you know a police officer -- all of these are either present or former -- by the name of George Suter?

THE COURT: Objection sustained. Let's talk about the current matter at litigation.

BY MS. PILSBURY:

Q. Well, Mr. Bloom, without going into the origin of the type of your activities what generally were the type of activities in the period mid-'60s through the mid-'70s that you were involved in?

A. I was very active in the peace movement.

Q. Now, when you say "very active," could you describe in some detail for the jury how much time you spent on these activities in, say, a typical week?

A. Well, there were times when it was more hectic than others, but generally there would be meetings almost every night of the week and it spilled over into my working hours.

Q. And was this true for the whole period 1965 to 1973?

A. Pretty much so.

Q. Now, taking this period chronologically what was the first major activity that you recall being involved in in the 1960s?

A. I believe that it would have involved the Committee for Sane Nuclear Policy, which was protesting the testing of nuclear weapons.

Q. Would that have been in Washington, D.C.?

A. Yes.

Q. What was the level of your involvement; were you

simply a participant or did you have a leadership position?

A. I was chairman of the Washington Sane Organization?

Q. And did that organization sponsor any mass public marches or demonstrations?

A. Yes, they did.

Q. When were those, or was there more than one?

A. There were a number of them, but particularly one in 1965.

Q. Was that in Washington?

A. It was in Washington.

Q. Was that a peaceful demonstration?

A. Yes, it was.

Q. Where did that take place, do you recall?

A. It was in front of the White House and then a march to the area of the Washington Monument.

Q. Do you recall when the next major public demonstration was?

A. There were so many. One that stands out is the spring mobilization in New York City.

Q. What year was that?

A. 1967.

Q. Were you active in organizing that?

A. I was.

Q. What was your role in that?

A. I was chairman of the Washington Mobilization

Committee.

Q. When you refer to the Washington Mobilization Committee, is this an organization which people joined?

A. There were no memberships as such. People were always invited in an open fashion to come to the meetings.

Q. How would people know whether or not they were a member of the Washington Mobilization --

A. They would receive mail from us.

Q. Would it be correct to say that anyone who participated in your activities could consider themselves a member?

A. Yes.

Q. Were there any groups which were excluded from joining?

A. No. Our emphasis was that anyone who was opposed to the war was welcome.

Q. Did the Washington Mobilization Committee sponsor any demonstrations in D.C. in 1967?

A. Later in 1967 there was a Pentagon march which was in D.C.

Q. Okay. And were you involved in organizing that?

A. I was.

Q. And was that a peaceful demonstration, as far as you know?

A. It was.

Q. Did the Washington Mobilization Committee have a position on whether or not it was desirable for demonstrations to be peaceful?

A. Yes. Our emphasis was that a peaceful demonstration was the kind that would attract lots of people. And we were always interested in educating and involving as many people as possible.

Q. Do you recall approximately when the group that we are referring to as the Washington Mobilization was formed?

A. It was formed somewhat prior to the Spring Mobilization which was April 15, 1967, in order to organize for that. It was the demonstration where Martin Luther King joined with the peace groups for a mass of demonstrations in New York City.

Q. Was that April 15th, 1967 demonstration in New York City?

A. In New York City, yes.

Q. Was that followed by a demonstration at the Pentagon?

A. The Pentagon was later in that same year.

Q. Did the Washington Mobilization Committee hold regular meetings at that time?

A. It did.

Q. Did you have an official position in the Washington Mobe?

A. I suppose you begin to think that I was a perpetual chairman, but I was chairman of that.

Q. Did people sometimes refer to the group as the Washington Mobe as opposed to the Washington Mobilization Committee to End the War in Viet Nam?

A. Yes.

Q. And those are the same groups?

A. Yes.

Q. At this time, which is 1967, were you aware of FBI agents or informants attending your Washington Mobe meetings?

A. We were not sure, but we always felt that there was probably some surveillance taking place.

Q. About how many people would be at a typical Washington Mobe meeting as opposed to a demonstration?

A. We could have 30 to 40 people at a meeting.

Q. And would you always know all of the people there personally?

A. Pretty much so.

Q. Now, in the summer of 1968 did you have occasion to go to Chicago, Illinois?

A. Yes, that was the demonstration --

THE COURT: You answered the question.

THE WITNESS: Yes.

BY MS. PILSBURY:

Q. And what was the purpose of your trip to Chicago?

A. The Democratic National Convention was taking place in Chicago and a demonstration was planned in order to make visible an antiwar protest to the delegates of the convention.

Q. What was the organizational name, if there was one, for the group that you traveled with to Chicago?

A. It was the Washington Mobilization.

Q. Still the Washington Mobilization. How many people, if you recall -- first let me ask you this: How did you go to Chicago, what was your means of conveyance?

A. We had a bus. We chartered a bus.

Q. When you say "we," you mean Washington Mobe?

A. Yes.

Q. How many people went on that bus?

A. Well, it was a full bus, so I would guess between 40 and 50 people.

Q. Were you accompanied by anyone on that trip, by anyone who later was identified to you as an agent or an informant of the FBI or the D.C. Police?

A. Yes.

Q. Who was that?

A. Mr. Tom Fulcher.

Q. Had he been attending your meetings?

A. He would attend meetings pretty regularly.

Q. Had you suspected that he was an agent or an informant prior to the trip to Chicago?

A. No.

Q. Did you know for certain as a result of the trip to Chicago that he was an agent or an informant?

A. No, it was there that I first suspected that he might be.

Q. Why did you suspect him?

A. Well, he came on the trip and later told me that he couldn't be with us and couldn't stay with us in Chicago. He had some business with friends, and it suddenly occurred to me that I wondered who his friends were.

Q. Did you see him during your time in Chicago?

A. No.

Q. Did he return on the bus with you?

A. He did.

Q. Was the activity that the Washington Mobe planned for the Chicago Democratic National Convention supposed to be a peaceful one?

A. Yes.

Q. What exactly had you intended to do there?

A. There was a big rally in one of the parks in Chicago and then a march to the convention hall.

Q. When you say "march" in reference to both this march and marches that you organized in Washington D.C., do you know whether as a matter of practice you would notify the local authorities first about these marches?

A. Invariably we would notify the authorities and get a permit for the activities.

Q. Do you know for instance whether there was a permit obtained for the Chicago march?

A. I am sure that the same procedures were followed.

Q. But you wouldn't have been involved in that?

A. No.

Q. What did happen in Chicago in 1968?

A. In Chicago the meeting in the park proceeded in a relatively peaceful fashion up to a point where on some -- for some reason which I could not figure out, maybe somebody stepped on somebody's toe, the police began to push into the crowd.

MS. BONN: I am going to ask that --

THE COURT: Pardon me?

MS. BONN: I'm going to make a motion that that comment that perhaps somebody stepped on somebody's toe be stricken from the record. It was not responsive to the question.

THE COURT: Mr. Bloom, the objection was surmised as to someone stepping on someone's toes. I know this is hard, but this is not just a conversation, this is testimony about things that you observed or said or heard, and it is not the occasion for you to surmise. Now, if you know that somebody stepped on somebody's toes, that is perfectly a

competent answer. If you don't then --

THE WITNESS: Well, all I can answer then is at some point I saw the police beginning to push into the crowd and wielding clubs.

MR. WHITE: I would like to object to the relevancy of this entire line of inquiry.

THE COURT: Yes.

MS. PILSBURY: We are passing on to it, Your Honor. We are not going to dwell on it.

THE COURT: I am sure the jury will recognize, without my making a point, that there is no charge here against the Chicago police, and what they did is irrelevant to this trial.

BY MS. PILSBURY:

Q. At that point, Mr. Bloom, did a confrontation ensue between the demonstrators and the police?

A. No, it was quieted down. I think that some of our people began to talk to the police in order to stop the activities and it all quieted down.

Q. Now, would a person who had been attending -- strike that. Let me ask the question this way: At Washington Mobe meetings prior to Chicago, or prior to any major demonstration, was this issue of maintaining the peaceful character of demonstration something that was openly discussed?

A. Yes, it was.

Q. Did anyone at any of your meetings propose disruptive tactics or more confrontational postures?

A. From time to time we did have people who would make suggestions of that sort.

Q. And how would those suggestions be received by you?

A. In all cases we pointed out the importance of a peaceful demonstration.

Q. Okay, I am now going to direct your attention from 1968 to 1969, unless there is something in 1968 we have overlooked.

THE COURT: You have to ask questions. You are not a discussion leader, you are a lawyer asking questions.

BY MS. PILSBURY:

Q. Directing your attention to October of 1969, did you participate in any activities in that month of 1969, October?

A. Yes, October --

THE COURT: The answer is yes, okay.

THE WITNESS: Yes.

BY MS. PILSBURY:

Q. And describe what activities occurred in that month?

A. In October of 1969 the Viet Nam Moratorium, which was an organization which was closely working with the New Mobilization Committee, was holding a demonstration which

they call a moratorium.

Q. Could you describe what the purpose of the moratorium activity was?

A. Yes, people should take time off from work -- this was during a weekday -- and join in a protest against the war.

Q. And you made reference to a group called the New Mobilization Committee. What was that, and when had it come into existence?

A. Early in '69 a conference in Cleveland set up the New Mobilization Committee.

Q. Did you attend the conference in Cleveland?

A. I did.

Q. How many other people were there, approximately?

A. Several thousand.

Q. Who were these people, where had they come from?

A. All around the country. There were various anti-Viet Nam war committees in various cities and they were all invited to send delegates.

Q. As a result of the conference in Cleveland, were you designated as any -- did you have any position in this New Mobilization Committee?

A. Yes, I was elected a Washington coordinator.

Q. Is the New Mobilization Committee sometimes referred to in your literature as NMC?

A. Yes.

Q. Was it a national organization?

A. Yes.

Q. Where were its national -- did it have a national office?

A. Its national office was set up in Washington, D.C. in order to develop an action in November of '69.

Q. Where were those offices located?

A. At 1029 Vermont Avenue, Northwest, here in Washington.

Q. And did the Washington Mobilization Committee have an office?

A. The Washington Mobilization Committee didn't have an office. It would meet in various places and --

Q. Would it sometimes meet in persons' homes?

A. Persons' homes. There was even --

THE COURT: I have to caution you again about leading.

THE WITNESS: Some churches gave us space. There was a house near DuPont Circle where we met.

BY MS. PILSBURY:

Q. Was the Washington Mobilization Committee still in existence once the New Mobe came on the scene?

A. Yes. It just became the arm of the New Mobe in Washington.

Q. Now, directing your attention to this period,

October-November of 1969, did the New Mobilization Committee have a position on the desirability of having black and white groups in the peace movement?

MS. BONN: Objection. Leading, Your Honor.

THE COURT: That is overruled. The objection is overruled.

BY MS. PILSBURY:

Q. You may answer.

A. That was always one of the primary goals of the peace movement was to relate to and get involvement from the black community.

Q. Did you have any connection as the Washington coordinator with the financial matters of the New Mobilization Committee?

A. Yes, I was asked to be treasurer of the organization.

Q. As treasurer did you keep a list of people who contributed money?

A. Yes.

Q. Was that information public? Did you consider it public as treasurer?

A. No.

Q. Now, did the New Mobilization Committee office at 1029 Vermont Avenue have any paid staff at this time, October-November of '69?

A. It started with two people.

Q. What were their names, if you recall?

A. Don Gurewitz and Steve Wilcox.

THE COURT: What was the first name?

MS. PILSBURY: Don Gurewitz.

THE WITNESS: Don Gurewitz.

MS. PILSBURY: Spelled G-U-R-E-W-I-T-Z.

THE COURT: And the other? And Steve.

MS. PILSBURY: Steve Wilcox.

BY MS. PILSBURY:

Q. Did you know either of these individuals before they came to work at the New Mobe offices?

A. Don Gurewitz had been active with Washington Mobe and he was a friend of the family's.

Q. About how old was he?

A. At the time he was in his 20s.

Q. And did you know Steve Wilcox before he came to work there?

A. No.

Q. Do you know where he came from?

A. No.

Q. Now, could you just describe in as much detail as you can what sort of activities were going on in the New Mobe office in October and November of 1969?

A. Well, of course the office was set up primarily to

bring a big influx of people to the demonstration in Washington.

Q. Now which demonstration is this?

A. November 15th, 1969.

Q. What were they doing --

A. And because of that there was a tremendous amount of work on the telephone contacting organizations throughout the country. There was a lot of fund raising work being done. There was a literature that was being printed and distributed around the country. There were meetings to develop a marshaling -- train marshals for the action. There were a number of committees working in various areas to develop support from the churches to do public relations work. There was a staff that was involved in press conferences and television appearances and so on.

Q. Was much of this work being done by volunteers?

A. Yes.

Q. Did you have a permit to hold a demonstration in Washington, D.C. on November 15th, 1969?

A. We did.

Q. Had you obtained that permit yourself?

A. I think my name appeared on it.

Q. Was there anything secret about the fact that you were going to have a demonstration on November 15th?

A. We tried to make it as unsecret as possible.

AFTERNOON SESSION

JURY NOT PRESENT:

THE COURT: As far as I'm concerned that clock is five minutes slow. Bring back the jury.

BEFORE THE JURY:.

MS. PILSBURY: Thank you, Your Honor.

Whereupon --

ABRAHAM BLOOM

a witness, called for examination, having previously been duly sworn, resumed the stand and testified further as follows:

DIRECT EXAMINATION (Resumed)

BY MS. PILSBURY:

Q. Mr. Bloom, when we stopped for lunch I believe we were talking about the period around the time of the November 1969 demonstration and the activities that were going on in the office. Did you have any particular problems in the office immediately prior to the November 1969 demonstration?

A. Yes, there was one very serious problem --

THE COURT: Just answer the question.

THE WITNESS: Yes.

BY MS. PILSBURY:

Q. And what was it?

A. Just before the final day of the demonstration the telephone company came in to shut down the telephones. They

said that they had gotten payment by means of a check that bounced on them.

Q. Did the New Mobe have enough money at that time to pay its telephone bill?

A. Apparently not because the check bounced.

Q. Were there funds available to the New Mobe that it could have used to pay the telephone bill?

A. Yes, we immediately went around to various people as sources of funds. The other problem was that they insisted on payments in cash because they wouldn't take any checks this time.

Q. Who was responsible for writing the checks for the telephone bill in the office at that time?

A. One of the staff people, Mr. Wilcox.

Q. Is he the one that proffered the bad check, as far as you know?

A. Yes.

Q. Were you able to obtain the funds to pay the telephone bill?

A. We did, but it was a very hectic business.

Q. What did you have to do?

A. We had to get around to all the banks, collect everything we could in cash, reach individuals that we knew could help us financially, to get money from them, and borrow some money and finally pay the bill.

Q. How much money are we talking about, do you remember?

A. Well, so much business was being done by telephone --

THE COURT: Answer the question. How much money are we talking about?

THE WITNESS: Yes, I understand. It was thousands of dollars. I don't remember the exact amount.

BY MS. PILSBURY:

Q. Did this Steve Wilcox continue to work in that office after the demonstration in November?

A. No.

Q. Did you ever see him again?

A. No.

Q. Did you ever see the other paid staff person, Don Gurewitz again?

A. Yes.

Q. Did you see the other people that worked regularly in the office after that day?

A. Yes.

Q. Were there any other problems that you would characterize as major that occurred in connection with the planning or executing the November '69 demonstration?

A. Yes, there was a serious problem with respect to the dollar-a-head tax, which the Black United Front wanted the New Mobe to pay for holding the demonstration in

Washington.

Q. Now, could you describe what that proposal was and why you characterize it as a serious problem?

A. In planning for the November demonstration, we asked to meet with certain leaders in the black community to talk about how we could get a maximum participation from blacks in Washington and the Washington area. At that meeting a proposal from the Black United Front was made that we had no right to hold a demonstration in Washington without considering the needs of the black community, and to pay a tax for each person that came to Washington to support the work of the Black United Front.

Q. How was this idea received within the New Mobilization Committee itself?

A. It immediately created a split in the organization because all the people were participants in various Civil Rights activities; they related to the black community; they wanted to get participation from the black community, and many of them felt that we should honor such a request.

Now, on the other hand, there was the feeling that the right to demonstrate could not be taken lightly and it was an inherent thing that people had the right to do and should not be taxed in any way.

Q. How close in time to the November 15th demonstration did this issue arise?

A. My best memory is it was the summer -- we were working for months before November, so it was in the summer of '69.

Q. Did it continue to be an issue right up until the time of the demonstration?

A. It was an issue for a considerable period of time. I cannot say exactly how long.

Q. Was it discussed at more than one meeting?

A. Yes.

Q. Can you estimate at how many meetings this matter was discussed?

A. The steering committee of the New Mobe met about every two weeks and I think it was discussed at two or three meetings.

Q. Was it discussed at any New Mobe meetings outside of Washington, D.C.?

A. Yes, because the people who came in for the --

THE COURT: You have answered the question.

THE WITNESS: The answer is yes.

BY MS. PILSBURY:

Q. Where was that, if you recall?

A. I would say around the country, because --

Q. Did you ever discuss this issue at any New Mobe meeting or at any antiwar conferences at that time outside of Washington, D.C.?

A. I did not.

Q. Okay, Mr. Bloom, I am going to show you a document marked for identification as Plaintiffs' Exhibit 18. If you would, just take a minute to look at it. It consists of two pages. What is the date on the first page of this exhibit?

A. 8-21-69.

Q. Could you indicate who the document purports to be from?

THE COURT: He has to show how he recognizes the document.

BY MS. PILSBURY:

Q. Do you recognize this document, Mr. Bloom?

A. Well, it is a document that is an internal memo of the FBI.

MR. WHITE: Your Honor, I would respectfully move to strike that answer inasmuch as that Mr. Bloom hasn't testified that he's an expert --

THE COURT: Well, that isn't a reason to strike. You are not establishing a proper predicate. Ask him if he can identify it and ask him how he can identify it.

BY MS. PILSBURY:

Q. Have you ever seen this document before?

A. Yes.

Q. Do you know what it is?

A. It is an FBI --

THE COURT: Let's get it right. Where did he see it?

THE WITNESS: I saw it in the FBI papers that you showed me.

BY MS. PILSBURY:

Q. Is it part of the documents that were produced from the FBI in the course of this lawsuit?

A. Right.

Q. Who is the document from?

A. It says from the director, FBI.

MS. PILSBURY: Okay, at this point, Your Honor, I would like to read a brief portion of the first paragraph.

THE COURT: Do you want to put it into evidence?

MS. PILSBURY: Yes, I would like to move the document into evidence.

THE COURT: All right. Does anyone object?

MR. WHITE: Yes, Your Honor, I do. Proper foundation and predicate have not be laid.

THE COURT: Objection is overruled.

(Plaintiffs' Exhibit Number 18 was admitted in evidence.)

MS. PILSBURY: May I read rather than characterize --

THE COURT: I hoped over lunch you had figured out some way to do this by questions. It is really not appropriate for you to read the document. Ask him questions

about it, if you have a question about the -- that ties the document to your question. It is not for you to have somebody read papers that were produced on deposition and read them into the record as if it was his document. It isn't.

MS. PILSBURY: I would like to read it into the record. I think that would be the simplest way to do it, but if the Court will not allow me to --

THE COURT: I want you to ask him questions relating as to how you are using the document.

BY MS. PILSBURY:

Q. Okay, directing your attention to the first paragraph of this document, Mr. Bloom, which describes the Black United Front's demand on the National Mobilization Committee for a dollar-per-demonstrator tax, is that an accurate description of what was actually going on at that time in your organization?

A. Yes, yes.

Q. Now, I would refer your attention to the second page of this document, first paragraph, where the Washington field office of the FBI notes that it has recommended, and the Bureau concurs, that this is an ideal situation to exploit through the counterintelligence program. Were you aware at the time that you were engaged in this discussion about the Black United Front that the FBI was interested in

this situation as well?

A. No.

Q. Okay, thank you.

Now, I am going to show you a document marked for identification as Plaintiffs' Exhibit 17. Have you ever seen this document before?

A. Yes, I have.

Q. What is it?

A. It is a letter addressed to me and signed by Reverend Moore.

Q. What are the contents of the letter?

A. The letter, again, puts in writing what we had been discussing about the dollar-a-head tax, and insisted that we make an initial contribution of $35,000, first payment to be made within ten days of the receipt of this letter.

Q. And did you actually receive that letter?

A. Yes, I did.

MS. PILSBURY: I move Exhibit 17 into evidence, Your Honor.

THE COURT: So moved.

MR. WHITE: I would object at this time inasmuch as at this time we had not been told when we received it or any other details concerning the document.

THE COURT: Does the letter bear a date?

MS. PILSBURY: The document that we have in our

files does not bear a date. Mr. Bloom will be asked approximately when he received it.

THE COURT: Okay, the objection is overruled.

(Plaintiff's Exhibit Number 17 was admitted in evidence.)

MS. PILSBURY:

Q. Mr. Bloom, you indicated that you did receive the letter. Do you recall the exact date on which you received it?

A. Not the exact date, but I would estimate --

THE COURT: You answered the question.

THE WITNESS: Not the exact date.

BY MS. PILSBURY:

Q. Please go ahead --

THE COURT: If you have another question, ask it. You asked him if he knew the exact date and he said no. If you have another question ask the other question. You have to control the testimony.

BY MS. PILSBURY:

Q. Do you have any way of approximating when you got the letter?

A. Well, yes. I would estimate that it was in September of '79.

Q. '79.

A. '69, I get my dates mixed up. Sorry.

Q. What was the response when you received this letter -- first, how did you feel when you received this letter?

A. I was very much upset because there was no way of even getting the money if we did want to make the payment.

Q. When you got this letter -- at the time that you received it, did you believe that it had initiated --

THE COURT: You are about to lead him again.

BY MS. PILSBURY:

Q. Who did you believe had written the letter?

A. It was signed by Reverend Moore and I assumed that it was sent by Reverend Moore.

Q. Did you have any reason at the time to think otherwise?

A. No.

Q. What was the final resolution, if any, on this issue?

A. The tax was never paid and more and more it became clear that the black community itself was not in favor of it. People like Julius Hobson and other clergy in the black community advised us that there was no reason to go along with the demand of the Black United Front.

MR. WHITE: Could we approach the bench regarding a question on the integrity of the exhibit?

THE COURT: Come up.

AT THE BENCH:.

MR. WHITE: I apologize for interrupting, but we were given the exhibit, three pages, and I am wondering whether the testimony is that he received all three pages and whether this will be moved into evidence as a complete document, the complete pages. The testimony relates only to the letter itself.

MS. PILSBURY: Your Honor, the document that I was using was just the letter and at this point --

THE COURT: Pardon?

MS. PILSBURY: The document that I was referring to was just the letter without the two attachments.

THE COURT: Then mark it as an exhibit. Haven't these exhibits been remarked?

MS. PILSBURY: Yes. The copy I handed Mr. Bloom didn't have the attachments.

THE COURT: What are you offering into evidence?

MS. PILSBURY: The only thing I can offer into evidence at this point is just the first page.

THE COURT: Then take the other two off, and you can mark them separately later if you need to. We shouldn't have the attachment.

Strike the attachments.

MR. WHITE: Thank you, Your Honor.

BEFORE THE JURY:

BY MS. PILSBURY:

Q. Mr. Bloom, as a result of the activities that we have been discussing, the proposal for a head tax, were relations between the Black United Front and the New Mobilization Committee, in fact, strained?

A. Yes.

THE COURT: You should have said what was the effect of that on the relationships. You are not cross-examining, this is direct examination.

MS. PILSBURY: I stand corrected, Your Honor. Do you want me to reask the question?

THE COURT: No, I just want you to ask correct questions.

BY MS. PILSBURY:

Q. Did the November 15th, 1969 march occur?

A. Yes, it did.

Q. Did it go off as you had planned it?

A. Yes, it was a very successful demonstration.

Q. Could you describe just very briefly what it consisted of, what the actual activities were?

A. Yes. Before November 15th, a few days before, people began to come into Washington for what was called a march against death. Each person -- and there were thousands of them -- would carry the sign of a GI who had been killed in Viet Nam. And they started at the Arlington Cemetery, and it was a candlelight procession and it marched across the

Memorial Bridge past the White House to the Capitol. And this went on around the clock day in and day out for three or four days, I believe. Then on Saturday, which I think November 15th was, a mass demonstration took place with a big rally at the Lincoln Memorial extending as far back as the Washington Monument.

Q. Were both of those activities peaceful?

A. Yes.

Q. Were you in charge -- did you have anything to do with training marshals at those activities?

A. Not specifically. I was recruiting marshals, but I didn't do any training of marshals.

Q. Were there any logistical problems after the march was over?

A. There was --

THE COURT: Yes or no.

THE WITNESS: Yes.

BY MS. PILSBURY:

Q. Could you describe what they were?

A. There was some serious problems with respect to people who did not make connections with their buses to go home, and it was necessary for us to raise a lot of additional funds to get people back home.

Q. When you say "did not make connections," could you be more specific?

A. Well, they were supposed to meet their buses at a certain time and a certain place, and in many cases people told us that the buses weren't there when they got there.

Q. Now, directing your attention to a different time period in a different demonstration, do you recall participating in activities planned to coincide with President Nixon's inauguration in January of 1969?

A. Yes.

Q. What was the name, if there was one, of the organization that you were working with at that time?

A. That was back in early '69. The New Mobe was not yet in existence and it was still under the auspices of what was called the National Mobilization.

Q. You say the New Mobe was not in existence?

A. Not yet.

Q. What would be the name, then, of the organization that sponsored the November '69 march that we have just finished talking about?

A. The New Mobe, but that came into existence in the early part of '69.

Q. I'm sorry, you're right, I'm confused. January is before November, I'm sorry. Going back, then, to the beginning of 1969, that was, you said, the National Mobilization?

A. Right.

Q. Was there a local Washington affiliate of the National Mobe?

A. Yes.

Q. What was it called?

A. It was called the Washington Mobilization.

Q. And this is the organization that you testified about this morning?

A. Right.

Q. Could you just describe briefly for the jury the purpose and nature of the activities that the Washington Mobilization and the National Mobilization sponsored in January of 1969?

A. It got the name counterinaugural, and the purpose was to bring attention to the opposition to the war at a time when so much attention was being paid to the Washington scene with the inauguration. We felt that this would be a good time and place to show the opposition that existed to the war.

Q. Did you help organize that activity?

A. Yes.

Q. What specific roles did you play in organizing it?

A. Washington Mobe became responsible for housing, because people were coming in from out of town to stay for a few days and it was necessary to put them up. We volunteered to provide housing for people.

Q. When you say, "we volunteered to provide housing,"

MS. PILSBURY: I move that document into evidence, Your Honor, Plaintiffs' Exhibit 14.

MR. WHITE: Once again, I will object on the grounds that no foundation has been laid.

THE COURT: You haven't done that -- well, how does he know about the document?

MS. PILSBURY: I asked him and he indicated that he received it.

THE COURT: Objection is overruled.

THE CLERK: Plaintiffs' Exhibit 14 received into evidence.

(Plaintiffs' Exhibit Number 14 was admitted in evidence.)

BY MS. PILSBURY:

Q. Were there any other logistical or other disruptions that you personally know of that occurred in connection with the 1969 counterinaugural?

A. I only heard of some. I didn't know of any other personally.

Q. Was this planned to be a peaceful demonstration?

A. Yes.

Q. Was it a peaceful demonstration?

A. Yes.

Q. Directing your attention, finally, to 1970, I am going to show you two documents just for purposes of clarity.

MR. WHITE: It is not a matter identified in the pretrial brief specifically and it is also not included in the spread sheets with respect to Plaintiff Bloom.

THE COURT: The Federal Rules permit conforming the pleadings to the proof. I have seen that document for some days anyway. It is not news to me. The objection is overruled.

BEFORE THE JURY:.

MS. PILSBURY: Could I have the last question read back?

THE COURT: Will the reporter please read the last question.

(The record was read as requested.)

THE COURT: That is not a question.

MS. PILSBURY: I'm sorry, Your Honor. I wasn't sure if I had asked it.

BY MS. PILSBURY:

Q. Have you ever seen these documents before, Mr. Bloom?

A. Yes.

Q. When did you see them?

A. You showed them to me.

Q. Do you know where they came from?

A. They are FBI documents.

Q. Attached to document 7 is a Xerox copy of a New

York Times newspaper article. The covering memorandum from the FBI characterizes the New York Times article as highlighting the fear of Jews to anti-Zionism, of New Left and violence-prone Black Panther Party. Is that an accurate characterization of the content of that New York Times article?

A. Yes, it is.

Q. Let me ask you to identify the date that is on Plaintiffs' Exhibit 7.

A. August 20, 1970.

Q. Do you recall seeing this New York Times article at approximately that time?

A. Yes.

Q. Do you recall how it was brought to your attention?

A. Not specifically, but it was given to me by somebody at a meeting.

Q. Do you subscribe to the New York Times yourself?

A. No, I don't.

Q. Do you read it regularly?

A. Only when I see it around.

Q. I would direct your attention to Plaintiffs' Exhibit 9, also an FBI document dated 9-23-70 involving the same New YorkTimes article. In the middle of that page it indicates -- at the beginning of the page it indicates in the first paragraph that the article was mailed out to 25 people.

And in the middle of the page it indicates that recipients of the article were selected on criteria of their involvement in the New Left Movement, the Black Power Movement or their prestige in the Jewish community. Were you active in any of those three groups at this time?

A. I am not sure. I might fit into the New Left movement -- I'm not sure about the others.

Q. Okay. Does this document number 9 indicate whether or not you received this document from the FBI?

A. On the third page it lists the names of those -- some of the people, there were a lot of them crossed out -- but my name is listed there.

Q. You don't recall, though, whether the document ever arrived in the mail or how it came to your attention?

A. I can't say that I can actually say.

MS. PILSBURY: At this point, Your Honor, I would move Plaintiffs' 7, 8 and 9 into evidence.

MR. WHITE: Your Honor, I will object in that there has been no foundation laid in connection with this.

THE COURT: Objection is overruled.

THE CLERK: Plaintiffs Exhibits 7, 8 and 9 received into evidence.

(Plaintiffs' Exhibit Numbers 7 and 8 were admitted in evidence.)

BY MS. PILSBURY:

MS. PILSBURY: Just Mr. Bloom.

THE COURT: And he is the Washington director?

MS. PILSBURY: Yes, and treasurer.

THE COURT: Objection sustained.

BEFORE THE JURY:

BY MS. PILSBURY:

Q. Mr. Bloom, directing your attention to the period 1970-1971, can you recall what some of the major activities were that you participated in in those periods, taking it chronologically, if you wish?

A. In 1970 there developed a split in the New Mobilization, and two different organizations developed out of that split.

Q. What were they?

A. One was called the National Peace Action Coalition, and the other became -- after a few different variations, became the People's Coalition for Peace and Justice.

Q. What was the difference, if any, between those two groups in philosophy?

A. The difference was whether the Antiwar Movement or peace movement should be aimed singly at the issue of ending the war in Viet Nam or whether it ought to include a whole variety of issues. That was the main difference.

Q. Okay, you have indicated that a split occurred. Did the new organizations have new names?

A. Yes.

Q. What were they?

A. The National Peace Action Coalition and the People's Coalition for Peace and Justice.

Q. Are those organizations sometimes known by their initials?

A. NPAC would be N-P-A-C, and the other was PCPJ, People's Coalition for Peace and Justice.

Q. Were both of these organizations -- what was the position of these two organizations, if you know, on the question of peaceful versus nonpeaceful demonstrations?

THE COURT: Just a moment, there is an objection.

MR. WHITE: I will object to this line of inquiry. The question does not go to the activities of the plaintiff and it is not relevant.

MS. PILSBURY: I will tie it up very shortly, Your Honor.

THE COURT: You better come back up here and tell me how you are going to do it.

AT THE BENCH:.

MS. PILSBURY: The organization that Mr. Bloom was chairman of, starting in this period, is WAPAC, and WAPAC is the Washington affiliate of NPAC, and I wanted him to describe the differences between the two groups.

THE COURT: Then where are you getting?

MS. PILSBURY: Have him discuss the impact of WAPAC.

THE COURT: Is this one of the things he wanted to strike?

MS. PILSBURY: No, I am skipping over these things.

THE COURT: Objection is overruled. Go ahead.

BEFORE THE JURY:

BY MS. PILSBURY:

Q. Mr. Bloom, do you recall the question, or do you want me to repeat it?

A. Please repeat it.

Q. Okay, what was the position, if you know, of these two new groups on the question of peaceful versus nonpeaceful demonstrations?

A. NPAC was definitely oriented toward building mass demonstrations, and towards peaceful demonstrations. The People's Coalition for Peace and Justice was also oriented along peaceful lines, but they included peaceful civil nonviolent actions.

Q. And which of these organizations were you associated with?

A. I was associated with NPAC.

Q. Did NPAC have a Washington D.C. affiliate?

A. Yes, the Washington Mobilization became the Washington Area Peace Action Coalition.

MR. WHITE: I'm sorry. I didn't hear that.

Q. Now, did an individual by the name of Edward Jagen attend your WAPAC meetings?

A. Yes.

Q. Do you recall for how long a period of time he attended those meetings?

A. It would be over a period of about one year.

Q. What was his role in WAPAC, if any, as far as you knew at the time?

A. He was one of the active members who came to meetings, would volunteer for assignments.

Q. Did you give him assignments?

A. Yes, he even was in charge of our office for a little while.

Q. Did you trust him?

A. Yes.

Q. Did there come a time when you found out that he was a law enforcement agent?

A. Yes.

Q. Which agency?

Q. D.C. Police.

Q. Do you recall approximately when you found that out?

A. My best estimate would be somewhere around '73 or '74.

Q. How did you find out?

A. An article in the Washington Post which spoke of an agent -- Agent Jagen testifying at a trial for the police

department.

Q. And did you ever see him after that article?

A. No.

Q. Has he ever appeared at any antiwar activities since then?

A. No.

Q. Now, during the period that we have been testifying to, approximately mid-1960s to 1973, were you ever aware of being under physical surveillance by either the FBI or the D.C. Police?

A. No.

Q. Did any FBI or D.C. Police agents ever contact you?

A. Yes.

Q. When?

A. I can't give you exact times, but while I was at my business they came to my place of business to talk to me.

THE COURT: Who is "they"?

THE WITNESS: They identified themselves as FBI agents.

BY MS. PILSBURY:

Q. And what did they indicate was the purpose of their visit?

A. They wanted to know if I would give them information.

Q. About what?

A. They were not very clear. They said if I knew -- they asked me if I knew some particular made-up person, I think, and I said no, and they said if you did know would you tell us about him, and I said no.

Q. Did this happen on more than one occasion?

A. I think it happened about two or three times.

Q. Other than these face-to-face interviews, did you have any reason to believe in this period, 1965, say, to 1973, that you were a subject of FBI or D.C. Police intelligence interest?

A. No specific information.

Q. Where were you working at this time, what was the name of your business?

A. I had my own business and it was called National Instrument Laboratories.

Q. Could you describe, generally, what that business involves?

A. Yes, we were in the biomedical instruments business. We designed and sold special instruments for the medical profession.

Q. Since you have received your FBI file -- had you received any information from the FBI about their activities prior to the filing of this lawsuit?

A. No.

Q. Since you have received your FBI file, have you any

information on activities of the FBI that may have affected your business?

A. Yes.

Q. Could you describe what those are?

A. Yes, when I got the file I learned that the FBI would, on a regular basis, contact the bank where we did our banking business and get transcripts of all the checks that were cleared. There were indications in the file that they contacted various government agencies from whom we had gotten contracts for instrumentation.

Q. Did you receive any government contracts during this period of 1965 to 1973?

A. We got quite a few contracts at first, but they dwindled afterwards.

Q. Can you put a date on when they dwindled?

A. Towards the 1970s.

Q. Are these contracts which you, based on your past business performance, expected to obtain?

A. Yes.

Q. Had they been customers you had before?

A. Yes.

Q. Were they government agencies?

A. Yes.

Q. Would you describe for the jury, if you would, what your feelings were when you reviewed your FBI files?

A. It revealed things about what was --

THE COURT: Listen to the question.

MS. PILSBURY: Excuse me, Your Honor.

THE COURT: He wasn't responding to your question.

MS. PILSBURY: It was a general question.

THE COURT: You asked him what his feelings were -- if he felt good, bad -- that's the kind of question you asked. You can ask him what he saw, that would be something else. That isn't what you asked him.

BY MS. PILSBURY:

Q. What did you learn when you reviewed your FBI files, Mr. Bloom?

A. I learned a lot of things that were going on that I never even dreamed of. I also learned that 90 percent of the file was blank pages, so I can only imagine what was in those --

MR. WHITE: Your Honor, may I approach the bench regarding this testimony --

THE COURT: Just don't talk about it further and you can develop that on cross-examination.

BY MS. PILSBURY:

Q. What did you learn that was in the file, Mr. Bloom?

A. I learned about the activities against our business. I learned, to my great shock, that a dear friend of mine had been giving information to the FBI, a person that I had worked with and had gone to his children's weddings, and

things of that sort. It was a great shock to me personally.

Q. Finally, what specific injuries did you suffer personally, if any, in regard to your political activities during this period mid-1960s to 1973 that you feel were a result of FBI or D.C. Police activities?

A. Well, because of the fact that the D.C. was intruding in our activities, I found that I had many, many problems to overcome that would not have existed without that.

Q. Could you give us some specific examples?

A. Well, I think we went over some of them today. The telephone business at the New Mobe, the Black United Front --

THE COURT: This is a summary of the previous testimony -- you do the summary, he doesn't.

BY MS. PILSBURY:

Q. Is there anything, Mr. Bloom, that we haven't covered that you feel was a direct result of either D.C. or FBI police interference?

A. At the moment, I can't.

MS. PILSBURY: Fine, thank you.

THE COURT: We will adjourn now and cross-examine after the adjournment. We will be back in 15 minutes.

(Thereupon, a brief recess was taken.)

JURY NOT PRESENT:

THE COURT: Bring back the jury.

BEFORE THE JURY:.

MS. PILSBURY: Your Honor, if I may, I realized I had one additional thing. I failed to move Mr. Bloom's excerpts from the FBI file into evidence at the close of his case, and I would do so. It is Exhibit 96.

MR. WHITE: We would object to that.

THE COURT: Your objection is overruled. It is received.

THE CLERK: Plaintiffs' Exhibit 96 received in evidence.

(Plaintiffs' Exhibit Number 96 was admitted in evidence.)

THE COURT: You may inquire, Mr. White.

CROSS-EXAMINATION

BY MR. WHITE:

Q. Mr. Bloom, my name is David White, I am the attorney for the five FBI agents that you have sued in this civil action. You have testified this afternoon that you have participated or played a role, some role, in many of the demonstrations that occurred in the City of Washington during the period 1967 to 1974 relating to the opposition to the war. Would it be fair to say that you played a prominent role or an important role in planning most of the major demonstrations?

A. I would say a role. I never thought of myself as being terribly important.

Q. I will rephrase the question so there is no confusion: You did plan most of the major demonstrations that occurred in Washington, or participated in the planning process?

A. Together with other people, yes.

Q. And you also participated in the demonstrations themselves?

A. Yes.

Q. That is you marched?

A. Yes.

Q. Did you ever have occasion to give a speech or was that generally not your realm?

A. I never fancied myself as a speaker.

THE COURT: The question is whether you made any speeches.

THE WITNESS: No.

BY MR. WHITE:

Q. Were you ever prevented from speaking? Was there ever an occasion at one of these demonstrations at which you wanted to speak but you were not permitted to?

A. No.

Q. Was there ever any occasion in which you wanted to prepare a leaflet, or any other sort of writing or document relating to these demonstrations, which you were prevented from doing that?

A. No.

Q. Were you ever prevented from attending a demonstration that you desired to attend?

A. No.

Q. Earlier in your testimony, I believe you were characterising generally your attitudes toward the antiwar movement and the several organizations you were in. I believe you used the phrase that all persons who were opposed to the war were welcome to join -- the first organization you mentioned, I now forget the name of it, but I believe it was the Washington Mobilization Committee.

A. Yes.

Q. That's a correct characterization of your testimony?

A. Yes.

Q. Was your philosophy at that time the same with regard to who participated in the demonstrations; that is, all who were opposed to the war were welcome to participate?

A. Yes.

Q. Some of the demonstrations were quite large, were they not?

A. Right.

Q. The demonstration in November of 1969 had how many people would you estimate?

A. Several hundred thousand.

Q. These were people coming from all parts of the

country?

A. Right.

Q. Were you in a position to know that each one of those persons coming to Washington had peaceful intent, nonviolent intent?

A. We always projected the action as a nonviolent action, and we structured it in a nonviolent way. That is the only thing that we could do.

Q. That is in the planning process, you promoted it as a peaceful demonstration; isn't that correct?

A. Right.

Q. But isn't it also correct that on occasion a group of people who were at the demonstration would split off and create some sort of property damage? That would occur on some occasions, would it not?

A. I believe that did occur.

Q. Despite your best efforts to prevent it; isn't that right?

A. Right.

Q. And did not an act of that sort occur at the November 15, 1969 demonstration?

A. I believe there was something.

Q. You testified also that you participated in the planning of something you called the counterinaugural demonstrations, which occurred on the day of the inauguration

A. Yes, that was just prior to the --

THE COURT: You answered the question. You do recall the --

THE WITNESS: Yes.

MR. WHITE: Thank you.

BY MR. WHITE:

Q. And when did this occur? Wasn't it just prior to the November 15, 1969 demonstration?

A. Correct.

Q. You mentioned the name of Steve Wilcox?

A. Right.

Q. Did there come a time when you came to believe that Steve Wilcox was either an agent or informant of the FBI?

A. Yes.

Q. When did that belief occur? When did you begin to have that belief?

A. We had a suspicion just prior to the action of November 15th, 1969.

Q. Your suspicion arose at the point when he disappeared?

A. No, prior to, because he was seen talking in private --

THE COURT: Is this responsive to your question?

THE WITNESS: I don't know --

MR. WHITE: I would like him to continue.

THE WITNESS: I would like to know what the question is, if he would like to repeat it.

BY MR. WHITE:

Q. Mr. Bloom, my question was, what caused you to have the suspicion about Steve Wilcox?

A. Well, that's what I'm trying to answer.

THE COURT: Go ahead.

THE WITNESS: He was seen talking -- there's a hotel across from 1029 Vermont Avenue at the Harrington Hotel. He was seen talking to several individuals, and when one of our members came in and he saw her, he became very flustered and quickly left the restaurant where he was eating and talking to these individuals. That in itself was just a suspicious event, but not necessarily conclusive.

There were other times when he was specifically not told when a meeting was so that he would not attend because people were suspicious of him. And yet he would always appear without invitation, and this made people more suspicious.

BY MR. WHITE:

Q. Was he not permitted to participate in meetings of that sort where he was not invited?

A. When he was not invited he was presumably not to be there.

Q. Was he expelled from the meeting, Mr. Bloom?

A. No, he was not.

Q. Did anything else occur to make your suspicions more conclusive?

A. No.

Q. Did you at any time ever make inquiry, either yourself or through an attorney to the Federal Bureau of Investigation regarding Steve Wilcox?

A. No.

Q. So, presently you still have no information which states conclusively that Mr. Wilcox was an informant; is that correct?

A. That's correct.

Q. Also regarding the November 1969 demonstration you testified that the Black United Front began to demand, or made a demand, during that summer for a head tax, one dollar per demonstrator. Was that demand -- how was that demand communicated to you?

A. There was a meeting with some of the New Mobe people and the Black United Front, a preliminary meeting to explore ways and means to get greater participation in the black community and get support from the Black United Front. At that meeting the Black United Front presented its demand for a dollar-a-head tax.

Q. Do you recall who participated in that meeting on behalf of the Black United Front?

A. I don't remember all the people there, but I do remember Doug Moore, Douglas Moore, I guess his proper name, who presented it on behalf of the Black United Front.

Q. This demand was made under the representation that it was a demand of the Black United Front as an organization rather than Doug Moore personally?

A. Yes.

Q. Do you have any personal knowledge, or knowledge obtained through newspaper articles or otherwise, who originated the idea of the head tax?

A. I don't know where it originated.

Q. Regarding the letter that Ms. Pilsbury showed you --

MR. WHITE: I am now referring, Your Honor, to Exhibit 17. May I approach the witness?

THE COURT: Yes, of course.

BY MR. WHITE:

Q. Mr. Bloom, you testified that you received this letter in September of '69; is that correct?

A. That was my best recollection.

Q. Do you recall the method in which you received it?

A. I think it was at the office of the New Mobe and was received there and given to me.

Q. Did it come in the mail or was it hand delivered?

A. I had no way of knowing how it got there. I got it from -- it was in an envelope and I assumed that it had been

mailed.

Q. You had no recollection now as to the cover of the envelope or what address was on it, what kind of postage, if any?

A. No.

Q. Did you have occasion to speak with Mr. Moore regarding this letter subsequent to its receipt?

A. Not specifically with respect to this letter.

Q. Did you have occasion to speak with him regarding the issue --

A. The issue, yes.

Q. -- addressed. And were those discussions and Mr. Moore's position consistent with the content of that letter?

A. There was a variation. This letter specifically says, "$25,000 to the Black United Front is mandatory, first payment to be made within ten days of the receipt of this letter." This was something new that I had not heard before.

Q. But your testimony was that you spoke to him after you received the letter.

A. Um-hum.

Q. Were his statements subsequent to your receipt of the letter consistent with the contents of the letter as you described it?

A. I can't really say.

Q. Do you still have the original of this letter, Mr.

Bloom?

A. No.

Q. How long did you retain the original?

A. I think I turned it over to some of the New Mobe officials because Dave Dellinger pursued the matter further and met with the Black United Front.

Q. Then, to the best of your knowledge, he discussed this letter in particular with persons at the Black United Front?

A. I think he met with them and the whole issue was discussed. I don't know about the contents of this letter.

Q. Do you know what occurred to the original of this letter following your giving it to other persons in the National Mobilization Committee?

A. No.

Q. Did you make copies of the letter for your own records?

A. No.

Q. To your knowledge, did anyone else make copies of the letter for their records?

A. I have no way of knowing.

Q. Then, your present recollection is that you don't know where the original of this letter is or who has it, or whether it even still exists; is that correct?

A. The original might not exist.

Q. Mr. Bloom, did there come a time at which you came to believe that this letter was written by an agent of the FBI?

A. There were --

THE COURT: The answer to that, sir --

THE WITNESS: The answer is yes.

BY MR. WHITE:

Q. And when did that occur, sir?

A. There were articles in the press, I believe it was the New York Review of Books, by a former FBI agent by the name of Wool, who revealed that the FBI had intervened in this whole discussion between the New Mobe and the Black United Front.

Q. Is it your recollection that that article appeared in January of 1972?

A. Approximately.

Q. Did you subsequently see another article appearing in the Washington Post which included the same matter?

A. I think it was a summary of the New York Review of Books article.

Q. You read them both, both articles?

A. No, I did not read the first. I heard about the first and read the Washington Post.

Q. So, at that point you had information indicating to you that the FBI was somehow involved in this controversy

between the Black United Front and the National Mobilization Committee; is that correct?

A. Yes.

Q. And this occurred in early 1971?

A. If those were the dates, yes.

Q. Did you, subsequent to that point, make any inquiry, yourself or through an attorney, to the FBI, the Department of Justice, for clarification or for more information regarding this matter?

A. At that time I did not.

Q. Did there come a time in which you did?

A. Yes, there did come a time.

Q. And what was that?

A. There was a revelation about the operation chaos which appeared in the newspapers, I believe in December -- possibly '74-'75. It was an article by Seymour Hirsch in the New York Times, which revealed the existence of a whole program of disruptions against the antiwar movement.

Q. Isn't it true that that article has absolutely nothing to do with the FBI?

A. It has to do with intelligence or agencies of the government.

Q. Did you, subsequent to that time, make any inquiry to the FBI regarding this matter?

A. At that time I did try to get my FBI file.

Q. There was no other inquiry?

A. No other at that time.

Q. In your request did you specifically identify this matter as one of interest to you and that you would like information pertaining to it?

A. I asked for my complete file.

Q. You asked for your file?

A. Yes.

Q. Did you in your request ask specifically for information relating to the Black United Front's demand and relating to the allegation that the FBI was involved in it?

A. No.

Q. I'm sorry, I may have missed this. It is your recollection that you made the request in 1975; is that correct?

A. My memory is not so good, but I do have -- I think there is a letter making that request in our file. If I could refer to that.

Q. Did you subsequently -- I will withdraw that.

With regard to that same demonstration, you indicated in your earlier testimony regarding some difficulty with buses --

THE COURT: With what?

MR. WHITE: With the demonstrators not being able to find their buses at the end of the demonstration.

Number 7. That is a newspaper article that appeared in the New York Times; is that correct?

A. Yes.

Q. And you received a copy of that article at sometime -- at a meeting of some sort?

A. My recollection was at a meeting, yes.

Q. That's your recollection that someone handed it to you rather than you received it in the mail?

A. Right.

Q. Did this article have any great effect on your personal beliefs, Mr. Bloom?

A. No.

Q. Thank you.

Mr. Bloom, you testified regarding a split in the New Mobilization Committee occurring sometime in 1970?

A. Yes.

Q. Is it correct that this split was purely internal and a matter of idealogical difference among the persons in the New Mobilization Committee, I guess it would have been at that time?

A. Yes.

Q. You indicated that the National Peace Action Coalition, with which you were affiliated, was oriented to building mass demonstrations?

A. Correct.

differences over what the People's Coalition for Peace and Justice had planned for that demonstration, and that you disagreed with what they proposed to do in this city for that demonstration?

A. It was not a mass demonstration which we usually projected and we did not participate.

Q. Mr. Bloom, have you ever heard of the Fifth Avenue Peace Parade Committee?

A. Yes.

Q. And would you describe for us what that is?

A. It was a New York centered anti-Viet Nam war committee which sponsored a number of demonstrations and marches.

Q. Was it affiliated with either the National Mobilization Committee or the New Mobilization Committee?

A. I believe they were affiliated with both.

Q. And did the Fifth Avenue Peace Parade Committee participate in the demonstration of November 15, 1969?

A. Yes, they did.

Q. And isn't it correct that in 1970, the Fifth Avenue Peace Parade Committee brought suit against the FBI for alleged investigation of them in connection with their participation in that demonstration?

A. I didn't know that. This is new to me.

Q. Do you know an FBI agent or have you heard of an

FBI agent by the name of Phillip H. Wilson?

A. No.

Q. Are you aware that he -- then you would not be aware that he testified in connection with the trial of the Fifth Avenue Peace Parade against the FBI?

A. I don't know.

Q. Were you personally associated with persons who were active in the Fifth Avenue Peace Parade?

A. I knew them, but they were in New York, and we were in Washington, and I didn't have personal contact with them.

Q. You mentioned that on two or three occasions agents approached you and asked for information or something of that sort; isn't that correct?

A. Correct.

Q. They identified themselves as agents?

A. Yes.

Q. Do you recall the names?

A. No.

Q. You don't recall whether one of the names was Phil Wilson?

A. No, I don't recall.

Q. Was one of the names Jerry Pangburn?

A. I can't say.

Q. What was the demeanor of the agents on the occasion of these discussions or meetings, however we would

characterize them?

A. Businesslike. They seemed to want something and I wouldn't give it to them.

Q. How long did that last?

A. Fifteen to 20 minutes.

Q. Were they asking for information relating to your activities, or -- I will stop there. Were they asking for information relating to your activities?

A. They were asking if I would give information about someone else.

Q. Were they asking for information relating to the activities of any of the organizations?

A. No.

Q. That you were involved in? You refused -- is that correct -- the request for information?

A. Yes.

Q. Mr. Bloom, you also testified concerning difficulties that you began to have with your business. Do you recall when those difficulties began to occur?

A. I would try to place that about 1970.

Q. When did you begin to believe that those difficulties were caused by the activities of FBI agents?

A. When I read the file.

Q. When did you read the file?

A. I first read the file a few years ago.

private and First Amendment activity, indicates FBI intrusion on my economic situation.

Q. At the time that you wrote those answers did you have in mind this matter of the interferences with your business?

A. I had that in mind, but I probably didn't spell it out clearly enough.

Q. Thank you.

Mr. Bloom, do you have any information now to indicate to you that either Charles Brennan, George Moore, Jerry Grimaldi, Jerry Pangburn, or Courtland Jones were involved in any way in the activity relating to the interference with your business relations?

A. As far as I know, they were the people who were in charge of the FBI activities in the Washington area.

Q. And that knowledge is based on what, sir?

A. The various documents that we received from the FBI.

Q. That being the case, then, do you know what position Mr. Brennan held during the time period in which your businesses were interfered with?

A. I can't say specifically.

Q. Or the position of any of the other four that we just mentioned?

A. No.

Q. Have you seen a document which bears the name of

or write or attend a demonstration or plan a demonstration?

A. They interfered with the development of broad support for these demonstrations.

Q. What specifically did Mr. Brennan do to interfere with your rights?

MS. PILSBURY: I will object, Your Honor. This question has been asked and answered.

THE COURT: Sustained.

MR. WHITE: I have no further questions, Your Honor.

THE COURT: Ms. Bonn?

BY MS. BONN:

Q. Good afternoon, Mr. Bloom. My name is Laura Bonn and I represent the District of Columbia and all the District of Columbia Defendants.

Directing your attention, Mr. Bloom, to 1967, as a point of clarification, you were then active in the Washington Mobilization Committee; is that correct?

A. Correct.

Q. Is that the same committee as the New Mobe? Are those the same committees, the New Mobe, Washington Mobilization Committee?

A. Well, maybe I can try to straighten it out.

Q. Well, my question is are they the same organization?

THE COURT: The answer is yes or no.

THE WITNESS: Yes and no. I mean, I can't say yes

of information. During a certain time the Washington Post was printing a number of exposes of police and FBI activities and CIA activities.

Q. What was the date of this, Mr. Bloom?

A. My guess would be '74 or '75.

THE COURT: Have you finished your answer?

THE WITNESS: What?

THE COURT: You haven't finished your answer.

THE WITNESS: No, I was going to tell --

THE COURT: Go ahead.

THE WITNESS: -- about the article in the Washington Post by an official of the police department giving in detail some of the activities that the police had conducted against the peace movement, and among them was listed the fact that they had an agent going with the Washington group to Chicago. This confirmed the suspicion I had had previously.

BY MS. BONN:

Q. Did Mr. Fulcher in any way inhibit your group from attending the Chicago convention and doing any, or exercising any First Amendment rights that you exercised there?

A. No.

Q. Had Mr. Fulcher been or attended any meetings of the New Mobilization Committee prior to the 1967 trip to Chicago?

A. The 1968 trip to Chicago was not under the New Mobe, it was the National Mobe.

Q. Excuse me.

A. But he did attend meetings of the Washington Mobilization Committee.

Q. Were these so-called open meetings?

A. These were open meetings.

Q. And did Mr. Fulcher's presence at these meetings in any way inhibit any of the discussions or business that was conducted at these meetings?

A. He was not a disruptive person.

Q. Did you ever see him taking notes?

A. Yes.

Q. Did he make any telephone calls at the meetings?

A. No.

Q. Directing your attention to April of 1971, I believe you testified that there was a large demonstration around that period of time.

A. April 1971, yes.

Q. And I believe you testified that it was an open demonstration?

A. Right.

Q. Would you have permitted police officers to attend the demonstration?

A. No.

Q. Then it really wasn't open, was it?

A. It was open to everyone who was there opposed to the war in Viet Nam.

Q. A police officer attending who may have been opposed to the war in Viet Nam, would that person be permitted to attend?

A. If he expressed opposition, if he would carry a sign against the war, we would permit him.

Q. I believe you testified, Mr. Bloom, that between 1970 and 1971 the Washington Area Peace Action Committee, the WAPAC, came into being; is that correct?

A. Yes.

Q. Did WAPAC have an office?

A. No office.

Q. Did there come a later time when WAPAC had an office?

A. I think we ended up in an office at the DuPont Circle building.

Q. Where did Mr. Jagen work? At what office location?

A. At the DuPont Circle building.

Q. And what year was that?

A. '71 or '72.

Q. How long did Mr. Jagen work for WAPAC?

A. I would say it extended over a period of about a year.

Q. Were there any staff personnel, or permanent personnel in the office of WAPAC at that time?

A. For a while I was, but when I couldn't attend the office would have either been closed or some volunteer would staff it.

Q. Was there any -- in the DuPont Circle building, what floor were you on, or was it a one-story building?

A. No, it is not a one-story building, it is quite a big building, and I can't remember what floor, maybe the 8th floor.

Q. Was there any security on the front door?

A. No.

Q. Who screened the volunteers?

A. I suppose it was my responsibility.

Q. Did you screen Mr. Jagen before bringing him in or permitting him to work as a volunteer at WAPAC?

A. He volunteered and I accepted his offer, yes.

Q. What did he do at WAPAC?

A. He would on occasions, when he volunteered, would take care of the office, which meant answering the telephone and taking care of correspondence.

Q. Did you ever observe him using the Xerox machine?

A. No.

Q. Do you know if he had access to the mailing list?

A. Yes.

Q. Did he mail out correspondence for WAPAC?

A. On occasion, yes.

Q. Did he ever do any posters for WAPAC?

A. Yes, he was an artist. To our knowledge he was an artist and he did posters.

Q. Was he ever in the office alone?

A. Yes.

Q. Did he have a key to the office?

A. No -- wait a while. I have to modify that. When I could not be present I think on one or two occasions I did give him the key.

Q. One or two occasions over the period of a year?

A. Yes.

Q. Did you ever invite him to your home?

A. No.

Q. When was the last time that you saw -- the last year that you saw Mr. Jagen at the WAPAC offices?

A. I don't remember. I can't give you a specific time.

Q. Would it have been closer to 1972 than to 1974?

A. It could be.

Q. At the time in 1972 what was the reason for Mr. Jagen leaving, if you know?

A. I have no idea except that he didn't come again. He just no longer attended meetings.

Q. Were the meetings held in the office, Mr. Bloom?

A. Yes, at that time they were small enough so we could accommodate it in the office.

Q. And did he attend all the meetings?

A. Many of them, not all of them.

Q. Was he ever disruptive?

A. No.

Q. Did he ever advocate any violent acts or disruptive acts?

A. No.

Q. Did he ever participate in any demonstrations along with you and on behalf of WAPAC?

A. Yes.

Q. Did his presence in any way interfere with the planning of a demonstration?

A. No.

Q. Did his presence at the demonstration ever interfere with your right to speak at these demonstrations or assemble or associate with other people?

A. No.

Q. Did any Metropolitan Police officers ever come to your home or your business, your place of business?

A. Not that I know of.

Q. Do you have any personal knowledge that any Metropolitan Police officer ever tampered with your mail?

A. I have no such knowledge.

Q. Do you have any personal knowledge about an alleged break-in into the offices of 1029 Vermont Avenue?

A. I knew there was one there and I know also of one at the Washington Peace Center.

Q. Was any of your property interfered with at 1029 Vermont Avenue?

A. You mean my personal property?

Q. Your personal property.

A. No.

Q. Was the Xerox machine on either the 12th floor or the 10th floor, whichever was the highest in the 1029 building ever damaged while you were there?

A. It was often out of order.

Q. Was that just the normal course of Xeroxing machines going out of order in your opinion?

A. Well, you know Xerox machines as well as I do --

THE COURT: Go on to something else.

MS. BONN: Thank you.

BY MS. BONN:

Q. Do you have any -- have you ever had any personal contact with a gentleman by the name of Mr. Christopher Scrapper?

A. No.

Q. Do you have any reason to believe that Mr. Christopher Scrapper in any way had anything to do with your

business difficulties that you testified about as a result of any police interference?

A. No.

Q. I would ask the same question with respect to Mr. George Suter?

A. No.

Q. I would ask the same question with respect to Mr. Thomas Herlihy.

A. No.

MS. BONN: Thank you.

THE COURT: Redirect?

MS. PILSBURY: Thank you, Your Honor. I will try to be brief.

REDIRECT EXAMINATION

BY MS. PILSBURY:

Q. Mr. Bloom, in reference to the question on when you first sought your FBI file, do you recall the exact date?

A. I seem to remember the date 1976, but I would feel better about depending on a document than on my memory.

Q. Let me show you a letter addressed to you from the Freedom of Information Act and Privacy --

THE COURT: Let's do this right. Would any document refresh your recollection.

BY MS. PILSBURY:

Q. Would it refresh your recollection if I showed you

MS. PILSBURY: May I show the Plaintiff the document that has been marked as -- I believe Federal Defendants' Exhibit Number 30.

THE COURT: Exhibit 30? Federal Defendants' Exhibit 30.

BY MS. PILSBURY:

Q. Mr. Bloom, I draw your attention to item C there. Does that refresh your recollection?

A. Yes, very much.

Q. What does that refer to --

THE COURT: Just ask him a question that you can get an answer to.

BY MS. PILSBURY:

Q. With your memory refreshed, Mr. Bloom, did you indicate any other areas of interference with your business in these interrogatories?

A. Yes.

Q. What was it?

A. At one point in our negotiations with another company for merger, which was called -- the other company was General Kinetics, Inc. That company received an anonymous letter telling them about the fact that they were about to merge with a company of subversive characters.

Q. Did the merger occur?

A. It did.

Q. Was that the instance that you were referring to in your testimony on direct, or were there other instances in addition to this which you feel --

A. I feel that there were other instances also.

Q. Subsequent to this instance that you refer to in your interrogatory or before it?

A. Before.

Q. And now directing your attention to the questions that you were asked on cross-examination by counsel for the individual Metropolitan Police Department defendants, did the various peace organizations that had office space at 1029 Vermont Avenue work closely together -- did they work together?

A. Yes.

Q. Would they share office facilities?

A. Yes.

Q. Did they share Xeroxing facilities?

A. Yes.

Q. Did they share volunteers?

A. To some extent.

Q. And I believe you indicated on cross-examination that the front door of 1029 was often open to the street. Would the individual offices be open as well when no one was there?

A. No, they were locked.